

Charles C. Georgia, to be postmaster at Unionville, in the county of Hartford and State of Connecticut.

INDIANA.

Frank B. Meyer, to be postmaster at Rensselaer, in the county of Jasper and State of Indiana.

IOWA.

A. J. Enbody, to be postmaster at Dunlap, in the county of Harrison and State of Iowa.

George W. Cook, to be postmaster at Guthrie Center, in the county of Guthrie and State of Iowa.

Barney Johnson, to be postmaster at Ida Grove, in the county of Ida and State of Iowa.

H. J. Vail, to be postmaster at New Sharon, in the county of Mahaska and State of Iowa.

MASSACHUSETTS.

Lorenzo B. Crockett, to be postmaster at North Easton, in the county of Bristol and State of Massachusetts.

William H. Twiss, to be postmaster at Ashland, in the county of Middlesex and State of Massachusetts.

Harding R. Barber, to be postmaster at Athol, in the county of Worcester and State of Massachusetts.

Alexander Grant, to be postmaster at Chicopee, in the county of Hampden and State of Massachusetts.

Charles L. Stevens, to be postmaster at Clinton, in the county of Worcester and State of Massachusetts.

George Abbott, to be postmaster at East Douglass, in the county of Worcester and State of Massachusetts.

MICHIGAN.

Earl B. Hammond, to be postmaster at Vermontville, in the county of Eaton and State of Michigan.

Charles S. Collier, to be postmaster at Frankfort, in the county of Benzie and State of Michigan.

William R. Cook, to be postmaster at Hastings, in the county of Barry and State of Michigan.

Victor F. Huntley, to be postmaster at Manton, in the county of Wexford and State of Michigan.

Martin N. Brady, to be postmaster at Saginaw West Side, in the county of Saginaw and State of Michigan.

Archie R. McKinnon, to be postmaster at Shelby, in the county of Oceana and State of Michigan.

John N. McCall, to be postmaster at Ithaca, in the county of Gratiot and State of Michigan.

Hiram E. Hardy, to be postmaster at Big Rapids, in the county of Mecosta and State of Michigan.

MISSOURI.

August W. Enis, to be postmaster at Clyde, in the county of Nodaway and State of Missouri.

Moses M. Adams, to be postmaster at Seneca, in the county of Newton and State of Missouri.

Thomas M. Morsey, to be postmaster at Warrenton, in the county of Warren and State of Missouri.

David B. Ormiston, to be postmaster at Linneus, in the county of Linn and State of Missouri.

Thomas Sharp, to be postmaster at Wellsville, in the county of Montgomery and State of Missouri.

NEBRASKA.

John F. Nesbit, to be postmaster at Tekamah, in the county of Burt and State of Nebraska.

Lee Van Voorhis, to be postmaster at Crawford, in the county of Dawes and State of Nebraska.

Frank R. Stewart, to be postmaster at Randolph, in the county of Cedar and State of Nebraska.

Stephen E. Cobb, to be postmaster at Emerson, in the county of Dixon and State of Nebraska.

William T. Owens, to be postmaster at Loup, in the county of Sherman and State of Nebraska.

John F. Griffith, to be postmaster at Pawnee City, in the county of Pawnee and State of Nebraska.

NEW HAMPSHIRE.

Herbert Bailey, to be postmaster at Claremont, in the county of Sullivan and State of New Hampshire.

PENNSYLVANIA.

Howard E. Butz, to be postmaster at Huntingdon, in the county of Huntingdon and State of Pennsylvania.

John B. Griffiths, to be postmaster at Jermyn, in the county of Lackawanna and State of Pennsylvania.

W. W. Reber, to be postmaster at Lehigh, in the county of Carbon and State of Pennsylvania.

Nathaniel B. Miller, to be postmaster at North Clarendon, in the county of Warren and State of Pennsylvania.

James N. Weaver, to be postmaster at Sayre, in the county of Bradford and State of Pennsylvania.

Joseph S. Taylor, to be postmaster at Morrisville, in the county of Bucks and State of Pennsylvania.

Herman H. North, to be postmaster at Bradford, in the county of McKean and State of Pennsylvania.

William H. H. Lea, to be postmaster at Carnegie, in the county of Allegheny and State of Pennsylvania.

RHODE ISLAND.

James T. Caswell, to be postmaster at Narragansett Pier, in the county of Washington and State of Rhode Island.

ALASKAN BOUNDARY.

The injunction of secrecy was removed from a convention between the United States and Great Britain, signed on January 24, 1903, providing for the settlement of questions between the two countries with respect to the boundary line between the Territory of Alaska and the British possessions in North America.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 11, 1903.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

HOUSE PENSION BILLS WITH SENATE AMENDMENTS.

The SPEAKER laid before the House bills of the following titles, with amendments of the Senate; which were respectively read, and, on motion of Mr. LOUDENSLAGER, concurred in:

A bill (H. R. 15757) granting a pension to Frances C. Brogan;

A bill (H. R. 6332) granting a pension to Michael Conlon;

A bill (H. R. 14845) granting a pension to Margaret Snyder; and

A bill (H. R. 15400) granting a pension to Enos Turner.

FRANCIS A. TRADEWELL.

The SPEAKER also laid before the House, with amendments of the Senate, the bill (H. R. 16161) granting an increase of pension to Francis A. Tradewell.

The amendments were read.

Mr. LOUDENSLAGER. I move that the House nonconcur with the amendment of the Senate and request a conference.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. RICHARDSON of Alabama as conferees on the part of the House.

PITTSBURG, CARNEGIE AND WESTERN RAILROAD COMPANY.

The SPEAKER laid before the House a privileged bill entitled "A bill (S. 7226) to authorize the Pittsburg, Carnegie and Western Railroad Company to construct, maintain, and operate a bridge across the Allegheny River."

The bill was read.

Mr. DALZELL. A House bill identical in terms with this Senate bill has been favorably reported and is on the Calendar. I ask that this bill be put on its passage.

The bill was ordered to a third reading, read the third time, and passed.

MEMPHIS, HELENA AND LOUISIANA RAILWAY COMPANY.

The SPEAKER also laid before the House a privileged bill entitled "A bill (S. 7159) authorizing the Memphis, Helena and Louisiana Railway Company to construct and maintain a bridge across the St. Francis River, in the State of Arkansas."

The bill was read.

Mr. MCRAE. Mr. Speaker, this bill being identical in terms with a House bill now on our Calendar, reported favorably by the Committee on Interstate and Foreign Commerce, I ask that this bill be taken up and passed.

The bill was ordered to a third reading, read the third time, and passed.

On motion of Mr. MCRAE, a motion to reconsider the vote by which the bill was passed was laid on the table.

EFFICIENCY OF THE ARMY.

Mr. HULL. Mr. Speaker, I submit the report of the committee of conference on the bill (H. R. 15449) to increase the efficiency of the Army. I present this report under the rule, for publication in the RECORD, together with the statement of the House conferees.

The SPEAKER. The report and accompanying statement will be published in the RECORD, under the rule.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 15449) to increase the efficiency of the Army, having met, after full and free conference have agreed to recommend and do recommended to their respective Houses as follows:

That the Senate recede from its amendment numbered 4.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In line 2, page 3 of the bill, after the word "emergency," insert the word "or;" and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: After the word "or" of said amendment insert the word "of;" and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: After the word "and," in the second line of said amendment, insert the following: "by and with the advice and consent of the Senate," and after the word "brigadier-general," in line 3 of said amendment, insert the following: "and when the next vacancy occurs in the office of brigadier-general of the line, it shall not be filled, and thereafter the number of brigadier-generals of the line, exclusive of the chief of artillery, shall not exceed fourteen;" and the Senate agree to the same.

J. A. T. HULL,
RICHARD WAYNE PARKER,
WM. SULZER,
Managers on the part of the House.
F. M. COCKRELL,
J. V. QUARLES,
J. B. FORAKER,
Managers on the part of the Senate.

The statement is as follows:

The conferees on the part of the House on the Senate amendments on H. R. 15449, an act to increase the efficiency of the Army, make the following statement:

Amendment No. 1 of the Senate, striking out the exception as to the general officers serving with the line, is agreed to with an amendment. It puts the general officers on the same basis as all the other officers of the general staff, and makes it so that none of them can be redetailed without service with the line except in case of emergency or in time of war.

Amendment No. 2: The conferees agree to the Senate amendment by inserting the word "of" after the word "or," so that it will read, "or of the Secretary of War under the direction of the President."

Amendment No. 3 makes the Chief of Artillery hereafter a brigadier-general. As agreed to in conference it provides that the number of brigadier-generals of the line do not increase, and reduces the number of brigadier-generals of the line, exclusive of Chief of Artillery, after a vacancy shall occur in the grade of brigadier-general to fourteen.

Amendment No. 4 is that provision of the bill as it passed the Senate embodied in section 6, and provided for the advance grade on retirement of certain officers who served during the civil war. The Senate recedes from its amendment on the ground that a provision is in the Army bill embodying the same principle.

J. A. T. HULL,
RICHARD WAYNE PARKER,
WM. SULZER,
Conferees on part of the House.

IMPORTATION OF BREEDING ANIMALS.

Mr. GROSVENOR. I call up a privileged bill, House bill 16656, regulating the importation of breeding animals.

The bill was read as follows:

Be it enacted, etc., That paragraph 473 of the act approved July 24, 1897, entitled "An act to provide revenue for the Government and to encourage the industries of the United States" (30 U. S. Stat. L., p. 194), shall be so amended as to read as follows:

"473. Any animal imported specially for breeding purposes shall be admitted free, whether intended to be so used by the importer himself or for sale for such purpose: *Provided*, That no such animal shall be admitted free unless pure bred of a recognized breed, and duly registered in the books of record established for that breed: *And provided further*, That certificate of such record and of the pedigree of such animal shall be produced and submitted to the customs officer, duly authenticated by the proper custodian of such book of record, together with the affidavit of the owner, agent, or importer that such animal is the identical animal described in said certificate of record and pedigree: *And provided further*, That the Secretary of Agriculture shall determine and certify to the Secretary of the Treasury what are recognized breeds and pure-bred animals under the provisions of this paragraph. The Secretary of the Treasury may prescribe such additional regulations as may be required for the strict enforcement of this provision. Cattle, horses, sheep, or other domestic animals straying across the boundary line into any foreign country, or driven across such boundary line by the owner for temporary pasturage purposes only, together with their offspring, may be brought back to the United States within six months free of duty, under regulations to be prescribed by the Secretary of the Treasury."

Mr. GROSVENOR. Mr. Speaker, this bill, I presume, will elicit no debate. The purpose of the bill is to change the existing law in regard to domestic animals imported for breeding purposes. The law as it now stands contains this provision:

Any animal imported specially for breeding purposes shall be admitted free.

The change which the bill proposes to make is by adding the words:

Whether intended to be so used by the importer himself or for sale for such purpose.

The Secretary of Agriculture and the Secretary of the Treasury both urge the passage of this bill. If it should become a law, it will simply place upon the statute books what, in the understanding of the people, has been the law until a recent decision made by a collector, which was upheld by one of the United States courts. The bill comes here by the unanimous report of the Committee on Ways and Means. I ask for a vote.

Mr. RICHARDSON of Tennessee. I understand the gentleman to say that the Committee on Ways and Means has reported this bill favorably.

Mr. GROSVENOR. Yes, sir; it is a unanimous report, as I have already stated.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. GROSVENOR, a motion to reconsider the last vote was laid on the table.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 17202, the sundry civil appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 17202) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes, Mr. TAWNEY in the chair.

The Clerk read as follows:

Repairs of light-houses: For repairing, protecting, and improving light-houses and buildings; for improvements to grounds connected therewith; for establishing and repairing day marks and pier head and other beacon lights, including purchase of land for same; for illuminating apparatus and machinery to replace that already in use; construction of necessary outbuildings, at a cost not exceeding \$200 at any one light station in any fiscal year; and for all other necessary incidental expenses relating to these various objects, including the pay of officers and crews of light-house tenders and of clerks and other employees in the offices of the light-house inspectors and light-house engineers and at light-house depots, \$700,000.

Mr. PEARRE. Mr. Chairman, I renew the request I made yesterday for unanimous consent to return to line 3 on page 3 of the bill, for the purpose of submitting an amendment.

Mr. CANNON. Mr. Chairman, I would prefer not to go back until we finish the reading of the bill. At that time I shall not object.

Mr. PEARRE. Then I withdraw my request at this time.

The CHAIRMAN. The gentleman withdraws his request and the Clerk will read.

The Clerk read as follows:

International exchanges: For expenses of the system of international exchanges between the United States and foreign countries, under the direction of the Smithsonian Institution, including salaries or compensation of all necessary employees, and the purchase of necessary books and periodicals, \$26,000.

Mr. GILLET of Massachusetts. Mr. Chairman, I move to strike out the last word. It has been brought to my attention this morning by a gentleman connected with the Smithsonian Institution that in some remarks I made yesterday, criticising a report of the Director because it contained a large number of popular articles which I thought had no relation to the Institution and which the United States ought not to be at the expense of printing and distributing, I did an injustice to the Institution because I stated that those articles were all reprints from popular magazines. That statement was based on testimony before the committee given by a gentleman representing the Institution and was in strict accord with that testimony. I am informed now that the testimony was mistaken. I do not wish to do any injustice, and therefore ask permission to correct what I said by printing in the RECORD a very brief statement of exactly what proportion of those articles are original and what are copied, which was furnished me from the Institution. I ask unanimous consent that that statement may be printed in the RECORD.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD by printing the statement which he sends to the Clerk's desk. Is there objection?

There was no objection.

The statement is as follows:

SMITHSONIAN INSTITUTION,
Washington, D. C., February 10, 1903.

Memorandum with regard to the sources of the papers published in the appendix to the Smithsonian report for the past five years.

Year.	Translations.	Transactions of learned societies; scientific journals.	Popular magazines.	Original contributions.
1897	6	20	5	6
1898	17	16	3	0
1899	7	18	4	1
1900	7	15	14	7
1901	5	22	9	15
Total	42	91	35	29

Of the very considerable number of articles from popular magazines in 1900, seven were from notable reviews of the century's science by the highest authorities, which appeared in the New York Sun and the New York Post, respectively, and which in this newspaper form would have been entirely

inaccessible after the date of their publication to the ordinary reader, and would not have been preserved in any form to which they could have been referred.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. SHATTUC having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 7288. An act extending the time for making proof and payment for all lands taken under the desert-land laws by the members of the Colorado Cooperative Colony for a further period of three years;

S. 7201. An act to increase the limit of cost for the public building at Evanston, Wyo.;

S. 7100. An act granting an increase of pension to Maggie V. Holstein; and

S. 3622. An act to provide for the payment to the heirs of Darius B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Perce Indians.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two houses on the amendment of the House to the bill (S. 5678) providing for record of deeds and other conveyances and instruments of writing in Indian Territory, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15449) to increase the efficiency of the Army.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 14164. An act for the relief of Charles W. Carr.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session

The Clerk read as follows:

For purchase of specimens to supply deficiencies in the collections of the National Museum, \$10,000.

Mr. GREEN of Pennsylvania. Mr. Chairman, I offer the following amendment, which I will send to the desk and ask to have read:

The Clerk read as follows:

Page 46, after end of line 20, insert "and for purchase of Herman Stricker's collection of butterflies and moths, together with the apparatus belonging thereto, and his library relating to the same, \$25,000."

Mr. CANNON. Mr. Chairman, on that I make the point of order.

Mr. GREEN of Pennsylvania. I would ask the gentleman to reserve the point of order until I can explain.

Mr. CANNON. Very well; I will reserve it.

Mr. GREEN of Pennsylvania. Mr. Chairman, this is an amendment presented in line with and explained by the remarks made by me on the subject yesterday, which are printed in to-day's CONGRESSIONAL RECORD. It is in the line of the recommendations made by the President in his last two messages. The President, and I think many members of the House and Senate, have an entirely different idea of what the National Museum should be from that of some of the members of the House Appropriations Committee, especially if their ideas are voiced by the gentleman from Massachusetts [Mr. GILLETT].

The President's idea is that this Institution should be made worthy of the great nation we are. Take, for examples, the British Museum or the museum of any large country in this world, and we find that large appropriations are made for the support of it and for the making of collections from which scientific knowledge is obtained. The little contributed by this Government during the last twenty years is as a drop in a bucket compared to that contributed by other countries. What are the results obtained from these scientific collections and the work of these institutions? Scientific knowledge has been increased more in the last twenty years than in all the ages which have preceded.

Now, I do not say that the purchase of the collection is a matter of supreme importance, but still I say it is important. I have no interest in the matter and care not one bit whether the House puts this amendment in the bill or not; but I do believe that it is my duty to call the matter to the attention of the House. It has been called to my attention probably because I represent the district within which this collection is now located; my assistance has been constantly asked by men connected with the National Museum. I have received, perhaps, a dozen communications on this subject and I feel that it is my duty to those people as well as to the people whom I represent to bring this matter before this body and ask its careful consideration.

That is all I care to do; but I do say that if we will stop to take

into consideration the fact that in this particular department of science if this collection is bought it will make the collection in the hands of the National Government the greatest in this hemisphere, and one of the greatest in the world, that ought to be sufficient in itself to recommend the purchase of the collection at this time. And I further say that in my judgment this collection will be purchased by some institution in, perhaps, the coming year. This man desired that his collection should not be dismembered and scattered around and sold to different people, but that, if possible, it should go to the National Museum. That is one of the reasons why the owners of it now desire this to be presented, so that it could not be said in the future that this matter had not been fairly presented, and that the United States had not had a chance to purchase the collection in accordance with the wishes of the collector, who spent fifty years of his life in getting it together.

Mr. GILLETT of Massachusetts. Mr. Chairman, I am sorry that the views I expressed yesterday do not accord with those of my friend from Pennsylvania. I remember I mentioned this butterfly collection as one item most open to criticism, as illustrating the extravagance of the House. Now, I am quite in accord with what the gentleman says about the views of the President. I think our National Museum ought to be a great institution. It affords much interest and pleasure to visitors to Washington. I think we ought to have a new fine building for it, but I do not think we ought to buy every perfect collection of bugs or minerals which a scientist looks on as profitable, but which will not interest the great number of people in the United States.

I think the Museum ought to be popular in its character and not scientific, and I do think that \$25,000 for a mere collection of butterflies is a preposterous expense. I think the name of the gentleman's constituent, Stricker, illustrates very well the nature of this claim. Of course, the gentleman would be glad to strike the Government for his constituents. We undoubtedly, all of us, would be glad to do the same for our constituents, but I do not believe the House should spend \$25,000 for this purpose.

Mr. GREEN of Pennsylvania. I should like to interrogate the gentleman.

Mr. GILLETT of Massachusetts. Certainly.

Mr. GREEN of Pennsylvania. The gentleman has entirely misunderstood the name. The name is Stricker. Stricker is no nearer to striker than black is to white.

Mr. GILLETT of Massachusetts. The name is not as pertinent as I thought, then.

Mr. GREEN of Pennsylvania. The name of the gentleman who owned this collection was Stricker; he is now dead, and his widow is the present owner. If the gentleman considers her a striker, I can assure him that he is entirely wrong. I also want to say that the gentleman is entirely wrong about another proposition recently advanced in his speech. He says we should keep the Museum as it is to-day and not increase or improve it. Those were the gentleman's words. He said we have a museum now and we have enough things there to amuse the public, and that is about all the good it is, but we should never increase it, we ought not to add to these collections. Such a proposition as that, I think, is ridiculous to any sane man.

If that is to be the policy of this Government you had better sell out your museum, shut it up, and stop contributing money to it each year. We must adopt some policy, either narrow or broad, in a matter of this kind. Where scientific knowledge is to be gained it stands to reason that private parties have not money enough and that educational institutions have not money enough to get all this expensive matter together, and make expensive experiments. It is a function of the Government, recognized by this Government and recognized by every government in the world, and I think if the gentleman who comes from Massachusetts, a State that is supposed to be enlightened and that usually, I think, is enlightened, will just consider this matter, and if he will talk about it with men of science, he will change his views radically. I hope he will do it soon.

The CHAIRMAN. The question is on the amendment of the gentleman from Pennsylvania [Mr. GREEN].

Mr. CANNON. Mr. Chairman, I think it is subject to the point of order.

The CHAIRMAN. Did the gentleman from Illinois make the point of order against it?

Mr. CANNON. I reserved the point of order, and I think I ought to make it.

The CHAIRMAN. The Chair sustains the point of order. It is clearly in violation of paragraph 2 of Rule XXI. The Clerk will proceed with the reading of the bill.

Mr. PEARRE. Mr. Chairman, I ask unanimous consent now to return to line 3, page 3, for the purpose of submitting an amendment.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to return to line 3, page 3, for the purpose of submitting an amendment. Is there objection?

Mr. CANNON. Mr. Chairman, the gentleman on the full committee and on the subcommittee [Mr. GILLETT of Massachusetts] is familiar with this matter, and he has to go away after to-day, so I have no objection.

The CHAIRMAN. The Chair hears no objection. The Clerk will report the amendment.

The Clerk read as follows:

Insert in line 3, page 3, after the word "dollars," the following:

"For the erection of an addition to the quarters occupied by the subtreasury at Baltimore, Md., \$5,000."

Mr. CANNON. I do not know, coming in that shape, but that it is subject to a point of order. I will say I will reserve it, and listen.

Mr. PEARRE. It seems to me, Mr. Chairman, that this is the part of the bill at which it ought to be offered, but as the gentleman reserves the point of order, that matter can be determined later. I trust the point of order will not be pressed if it be well taken.

This is a matter of great importance to the subtreasury at Baltimore city. It has been discovered recently that the quarters of the subtreasury are entirely inadequate, and the attention of Congress has been called to the matter by the Secretary of the Treasury, Mr. Shaw, in a communication to the Speaker of the House of Representatives. I desire to send to the desk and have read, not only that communication, but one upon the same subject from the Supervising Architect of the Treasury, Hon. James K. Taylor, which appear in the document which I send to the desk now.

The Clerk read as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, January 12, 1903.

SIR: I have the honor to transmit herewith, for the favorable consideration of Congress, copy of a communication from the Supervising Architect, of the 10th instant, submitting an estimate of appropriation in the sum of \$5,000 to erect an addition to the quarters occupied by the subtreasury at Baltimore, Md., in the space between the present old court-house and the post-office and court-house building, and for changes in connection therewith.

Respectfully,

L. M. SHAW, Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT,
OFFICE OF THE SUPERVISING ARCHITECT,
Washington, January 10, 1903.

SIR: I have the honor to call your attention to the fact that the quarters occupied by the assistant treasurer of the United States at Baltimore, Md., are overcrowded and are entirely inadequate for the proper transaction of the public business.

While the subtreasury at Baltimore will be transferred to the new custom-house building, it is not probable that the transfer can be made within three or four years, and in the meantime some measure of relief should be afforded the officials in this office, either by renting additional quarters or by erecting a temporary addition to the present quarters, and it is believed that the most economical and the safest plan is to erect, in the space between the present old court-house and the United States post-office and court-house building, a temporary, plain, substantial, brick addition, to connect with the present quarters of the subtreasury, to accommodate the offices of the assistant treasurer and the bookkeepers. In this way the present cash room will be relieved, and the floor area, now occupied by the bookkeepers, will be available for the work of the cash room.

The estimated cost of the addition and necessary changes in connection therewith is \$5,000, and as there is no appropriation available for carrying out this work, I respectfully recommend that this matter be brought to the attention of Congress, with the recommendation that an appropriation of \$5,000 be made to erect an addition to the quarters occupied by the subtreasury at Baltimore, Md., in the space between the present old court-house and the post-office and court-house building, and for changes in connection with the same.

Respectfully,

J. K. TAYLOR,
Supervising Architect.

The SECRETARY OF THE TREASURY.

Mr. PEARRE. Now, Mr. Chairman, that is the communication and recommendation from the Secretary of the Treasury and the Supervising Architect of the Treasury. I also desire to submit and have read a communication from the former subtreasurer.

The Clerk read as follows:

EXHIBIT B.

NOVEMBER 1, 1900.

HON. LYMAN J. GAGE,
Secretary of the Treasury, Washington, D. C.

SIR: I have the honor to ask your attention to the necessities of this office in the temporary quarters which have been assigned them in the old United States court-house in this city.

When the representatives of the Supervising Architect's Office first came to examine into the requirements of the various departments, he was advised that these quarters were insufficient in space, deficient in light, and entirely without ventilation. He nevertheless saw fit to recommend them, and preparations are in progress to construct a large vault there for the use of this office from material taken from the vault formerly used in the custom-house.

The floor space appropriated to the cash room is so contracted that the large and important business of the office will have to be transacted under great disadvantage; but there is not enough wall space by some 40 feet to accommodate the large filing and blank cases which are constantly in use. To

remedy this, as the best that could be done under the circumstances, I asked for another small room in the building, which, though inconvenient of access, would at least afford shelter for the filing cases and cases of blanks, together with accumulated books, vouchers, etc.

The custodian of the building, who has allotted the space to the different officials of the Government service and who previously assigned to my use the room referred to, is so pressed to accommodate them all that he now informs me he will not be able to let me have it.

I deem it wise, therefore, to advise you thus early that such provision as has been made is entirely inadequate for the needs of this office, and to ask for such action on your part as shall secure for me suitable space for the proper conduct of the business under my charge.

Respectfully, yours,

JAMES M. SLOAN,
Assistant Treasurer United States.

Mr. PEARRE. Now, Mr. Chairman, I desire to submit two letters from the present subtreasurer of the United States in Baltimore upon the same subject, and ask that they be read at the desk.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. GILLETT of Massachusetts. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended five minutes.

Mr. PEARRE. That is all, until these can be read.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

OFFICE OF ASSISTANT TREASURER, SUBTREASURY SERVICE,
Baltimore, Md., January 31, 1903.

HON. GEORGE A. PEARRE,
House of Representatives, Washington, D. C.

MY DEAR SIR: I beg to inclose House Document No. 272, being a letter from the Secretary of the Treasury to Congress, transmitting the report of the Supervising Architect as to the investigation of the condition of the quarters of the United States subtreasury at Baltimore. The move to secure more working space for this office is made by the Department, as this document shows, and it is positively necessary for the maintaining of the heretofore high standards of this office as to efficiency. The small force which we have have not adequate room in which to safely and with convenience perform their duties. If the force should be increased, which its pressing needs demand at once, then the inconvenience of our cramped quarters would be proportionately increased.

In 1871 the business of this office amounted, in round numbers, to about thirty millions; in 1901 it amounted to one hundred and twenty millions, and yet the appropriation by Congress for clerical force to handle this business was \$140 less than it was in 1871. Men here have no holidays; they haven't time to get sick; when they do break down under the strain those who continue to work have to labor just so much harder. Public business is continually being held back, and sometimes held up, when it should be dispatched, and the financial interests of this city are hampered exceedingly because of our unavoidable condition.

The Treasury Department has induced the Finance Committee of the Senate to add three clerks to the appropriation for the next fiscal year, in order to relieve the situation in part; hence the increased working space (so necessary with our present force) becomes essential when we get the additional clerks.

In the four years which I will administer here I am anxious to keep the standard of excellence as high as, if not higher than, it has ever been during any previous period. I want to be able to so conduct the affairs here that my party, so generous to me, may benefit by the good impression made on the business community by this office during my incumbency. Therefore, with a high sense of my individual responsibilities, and also a burning desire to excel in my administration (more for my party's sake than my own), I appeal to you to exercise your good offices with Appropriations Committee, before which this matter is pending, feeling certain that I shall have your cordial and hearty support. It is the desire of the Department to have this added to the sundry civil bill, and if the delegation will all work together to that end, as I am sure they will, it will undoubtedly be accomplished. Thanking you in advance, I am,

Sincerely, yours,

A. LINCOLN DRYDEN,
Assistant Treasurer, United States.

SUBTREASURY SERVICE, OFFICE OF ASSISTANT TREASURER,
Baltimore, Md., February 3, 1903.

HON. GEORGE A. PEARRE,
House of Representatives, Washington, D. C.

MY DEAR COLONEL: Your favor of the 3d instant is at hand, and after noting carefully the contents I make haste to reply. Now, I am also sorry that I did not write you sooner about the addition which ought to be made to the Baltimore subtreasury. I really did not desire to trouble you or the other members of the delegation, whose districts do not include any of the city of Baltimore, thinking that perhaps the city members of the delegation might be able to take care of the matter alone, as the situation affects city interests to the greatest extent. I thank you very much for the kindly interest that you manifest by so promptly giving me the present status of our case and the facts on which the Appropriation Committee seem to base their opposition. I am indeed sorry that the distinguished member of the committee from Massachusetts has seen fit to underestimate our serious need for more working space in this office, and that he has so quickly jumped at the conclusion that we can go along all right until this office shall be transferred to new quarters in the new custom-house building in course of construction.

I am amazed by the time stated by Mr. GILLETT in which, as you quote in your letter, he expects the custom-house to be completed, namely, two years; and hence our new quarters will be ready, according to him, in that space of time. By referring to House Document 272 (copy of which I send (Exhibit A) you with this letter), in the letter of the Supervising Architect transmitted to Congress by the Secretary on January 13, 1903, you will find that officer calling attention to the "entirely inadequate quarters" now occupied by the subtreasury at Baltimore, and also that the Supervising Architect states therein that the new custom-house building will not be ready for occupancy "within three or four years," and I may add that information comes to me from knowing ones here that the said building will not be ready to throw open for public business for five or six years.

Mr. GILLETT, whom you quote, seems to agree with the Supervising Architect as to the needs of this office, for on the morning when he made his hurried

call here he stated that we needed both additional space and force; but as to the time in which we shall be able to leave these inconvenient and, I may say, dangerous quarters and remove to the commodious one to be provided in the new building the estimate of the distinguished member of the committee, who walked into our office for a few minutes, differs materially from that of the Supervising Architect, who has made through his special representative a thorough and exact examination of our working space. The fact of the business is, those who know most about this matter predicted when this office was removed from the old custom-house to this building all the unsatisfactory things which we are now experiencing. My predecessor, ex-Assistant Treasurer Sloan, advised by the cashier, Mr. L. H. Nice (who has been with the office since its establishment in 1870), not only disagreed with the custodian of the old custom-house as well as the custodian of this building, but feeling the responsibilities of his position and knowing the requirements of this service, and well aware of the limited working space, filed his protest with the Secretary of the Treasury before the removal of the vaults was made. I beg to inclose copy of the letter of my predecessor to the Secretary. (Exhibit B.)

All that was feared by my predecessor before coming to these quarters has come to pass. This subtreasury has been in its present location since February, 1900, and the inadequate space, deficient light, and the lack of good ventilation are very apparent; and the latter certainly seems to have affected the health of every man in the office. To be called upon, as the force in this office is daily and has been for two or three years, to work over hours, sometimes into the night, to finish the business of this office accepted during the day, even if we were in comfortable quarters, with sufficient air and light, would be to require of faithful, expert men what is not, in my judgment, and never was, intended by a great and rich Government. But to require these extra duties and extra hours in quarters such as we endure here is to force involuntary service from those who may not be able, in their smothered indignation because of environments, to resign their positions.

I have taken the oath and am bonded to administer this office, and I am endeavoring to discharge the duties that devolve upon me, but I am frank to say that I have never been, in all my short experience, in such an embarrassing position, where I am compelled to place upon the altar of sacrifice the health and happiness of faithful and loyal officials to meet the demands of the public business, which is always seriously retarded.

The suggestion of the chairman of the Appropriation Committee that the office of the assistant treasurer be surrendered for the general work of the officials here and that the assistant treasurer take an office in another portion of the building or in a room outside of this building is entirely impracticable. In the first place, I am informed to-day by the custodian of the building that there is no other room available for this service. In the second place, if the assistant treasurer takes a room outside this building it would require an additional messenger's service and would break up that close contact with business of the subtreasury, which would be the height of wisdom, according to all those who understand the subject.

I am sorry to have troubled you with this long communication, but you requested me to give you my views of the matter in the new light shed upon it by the chairman of the Appropriation Committee and Mr. GILLET. It may not seem quite the proper thing for me to exhibit such persistence in further urging these necessities, but I would not be faithful to the high trust reposed in me, nor true to the great business interests that demand promptness and efficiency from this office, nor considerate of the efficient force under my charge here, did I not (although with little hope now of being heard) lift my voice for better conditions and to try to secure such relief as only intelligent investigation and examination would suggest and assure. I am anxious only to have present those necessary conditions which will make possible the efficient dispatch of all business presented to us for acceptance and thereby impress the community, who will be well served.

I am deeply anxious to be spared from the undesirable and unfortunate position which I will certainly be obliged to assume unless Congress comes to our relief, where the subtreasury will refuse to receive from the banks of Baltimore more than can be handled within the hours and in the manner now prescribed by the Department.

Feeling sure of your cordial cooperation in the endeavor to remedy our unpleasant situation, and knowing that whatever steps it may be wise to take you will take, I am,

Very sincerely, yours,

A. LINCOLN DRYDEN,
Assistant Treasurer United States.

Mr. PEARRE. Now, Mr. Chairman, I do not know that I can add anything to that which has been so well said by the public officials of the Government, the Secretary of the Treasury, the Supervising Architect of the Treasury, and the two subtreasurers of Baltimore, the former and the present. It is very evident—and I believe my brother will admit—that more room is required there, and that they must have it. The only question as existing between the gentleman and myself on this point is whether or not they will be able to get into the new custom-house building in Baltimore within a couple of years, or four or five years. I appeal to the experience of the House and of every man to justify the statement that in the construction of large buildings the estimates of the architect and the contractors themselves are almost always faulty, and that being the case, that the time for the completion of this building will be very much greater than anticipated. Therefore I respectfully submit that this appropriation, which is a small one, should be made.

The CHAIRMAN. Does the gentleman from Illinois insist on the point of order, or make the point?

Mr. CANNON. I think it is subject to a point of order. I have heard the letters read, and with all due respect to the valuable officer who displays great ability in writing an urgent letter in regard to that matter, it is subject to the point of order. I have already made similar ones and expect to have to make many similar ones before I get through with the bill. I will have to insist on the point of order.

Mr. PEARRE. I would suggest that the point of order is not well taken. Upon what ground is the point of order made? This is a public work already being in progress, and it is for the continuance of the work in that place.

Mr. CANNON. This is the fact about it: There is already a custom-house being constructed, which will be completed in

three or four years—a great building. This is an old building, which is occupied temporarily. This is for an addition to that building. If you can build one at \$5,000, you can build one at \$5,000,000. I think it comes within the rule.

Mr. PEARRE. That is what you did at the Military Academy and what you did at the Naval Academy.

Mr. CANNON. No; I did not.

Mr. PEARRE. That was what was done.

Mr. CANNON. That is where there was a legislative provision.

Mr. PEARRE. I am so in the habit of attributing things to the gentleman that I perhaps ought not to have attributed that to him.

Mr. CANNON. Thank you.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MONDELL. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Page 60, at end of line 15, insert:

"For the purpose of making an investigation of the streams flowing from the Big Horn Mountains in northern Wyoming, with a view of determining the best location in the said region for the establishment of a fish hatchery, \$1,000."

Mr. CANNON. Mr. Chairman, I will reserve the point of order on that.

Mr. MONDELL. Mr. Speaker, I hope the gentleman will not insist upon the point of order. There are several very beautiful mountain streams flowing from the Big Horn Mountains in Wyoming. There are several places suitable for the erection of fish hatcheries there. We have no fish hatchery in Wyoming, and we have more streams suitable for trout and other game fish than any of the States of the Northwest. We simply ask that an investigation be made of certain streams with a view of determining whether it is advisable to appropriate for and establish a fish hatchery in that region. Should the report indicate that there is not a suitable location, or that there is no necessity for the erection of such a hatchery in that vicinity, none would be erected. If the report is favorable, on the other hand, the erection of a fish hatchery would depend upon the future action of Congress.

Mr. CANNON. I think if it was a separate legislative proposition my desire to yield to the judgment of the gentleman from Wyoming is such that I suspect I should vote for the proposition; but it is clearly not in order on a general appropriation bill, and I shall have to insist on the point of order.

The CHAIRMAN (Mr. LACEY). The point of order is sustained.

The Clerk read as follows:

Miscellaneous objects, Treasury Department.

Mr. TAWNEY. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk:

The Clerk read as follows:

GOVERNMENT EXHIBIT, LOUISIANA PURCHASE EXPOSITION.

For the selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of such articles, animals, and materials belonging to or used by the agricultural colleges and experiment stations, hereinafter referred to, as the Government board created by act of Congress approved March 3, 1901, as amended by act of June 28, 1902, may decide to exhibit as a part of the Government exhibit to show the progress of education and experimentation in agriculture, in mechanic arts, and animal husbandry at the Louisiana Purchase Exposition, to be held under authority of said act, of the colleges of agriculture and mechanic arts and agricultural experiment stations receiving the benefits of the acts of Congress of July 2, 1862, March 2, 1887, and August 30, 1890, \$100,000, to be immediately available; which sum shall be expended for that purpose only, and for the authority of said Government board: *Provided*, That the Louisiana Purchase Exposition Company, at its own cost and expense, shall furnish to said Government board adequate and suitable space in an appropriate building or buildings for the installation of said exhibit and its exhibition during the continuance of said exposition.

Mr. TAWNEY. Mr. Chairman, I will say that this matter has been carefully considered by the Committee on Industrial Arts and Expositions.

Mr. CANNON. As I understand, Mr. Chairman, this is the amendment that the gentleman's committee passed and sent to our committee?

Mr. TAWNEY. Yes.

Mr. LIVINGSTON. What is the amount carried?

Mr. TAWNEY. One hundred thousand dollars. It proposes an appropriation of \$100,000 to defray the expenses of an exhibit by the agricultural colleges to be made in connection with the Government exhibit, including the work these colleges are doing in the matter of animal husbandry, and it will be made under the direction and control of the Government board appointed under authority of the act of March 3, 1901. The Committee on Industrial Arts and Expositions has considered the matter carefully, after hearing representatives of the Agricultural Department and others interested, and the committee authorized me, as its chairman, to report the same to the Committee on Appropriations, and I now offer it with the approval of that committee.

Mr. BARTLETT. Mr. Chairman, I am a member of the Committee on Industrial Arts and Expositions, of which the gentleman from Minnesota [Mr. TAWNEY] is chairman. I desire to say, representing the minority of that committee, that I was present at the hearing, and we found that it is necessary in order to provide for the exhibition of the progress of the agricultural colleges at this exposition, and of the work that has been done in those colleges, to provide the means for that purpose. The \$800,000 that has been provided for the Government exhibit has been so apportioned out that this particular exhibit could not be shown unless this additional appropriation which is contained in the amendment should be made. For myself I am in favor of it, and think the appropriation ought to be made now. I make this statement that the gentlemen on this side may understand that the matter has been thoroughly investigated by the committee, and that there is no reason why the amendment should not be adopted.

The amendment was considered and agreed to.

Mr. TAWNEY. Now, Mr. Chairman, I offer the following amendment to follow the amendment just adopted.

The Clerk read as follows:

Insert at end of line 2, page 62:

"DISTRICT OF ALASKA EXHIBIT.

"To enable the inhabitants of the district of Alaska to provide and maintain an appropriate and creditable exhibit of the products and resources of that district at the Louisiana Purchase Exposition in the city of St. Louis, Mo., in 1904, and to erect and maintain on the site of said exposition a suitable building to be used for the purpose of exhibiting the products and resources of said district, the sum of \$50,000, to be subject to the order of the Secretary of the Interior, who is hereby authorized to expend the same in such manner as in his judgment will best promote the objects for which said sum is appropriated, in accordance with rules and regulations to be prescribed by him."

Mr. TAWNEY. Mr. Speaker, this appropriation contemplates merely the erection of a building for the Alaskan exhibit and the maintenance of the exhibit while at the St. Louis Fair. The people of Alaska propose themselves to bear the expense of collecting the exhibit and transporting the same to St. Louis and the return of the same. This appropriation is recommended, too, by the Secretary of the Interior, and has also been considered by the Committee on Industrial Arts and Expositions, which committee has instructed me to present the amendment.

Mr. CANNON. This proposed appropriation is for \$12,000?

Mr. TAWNEY. No; fifty thousand for the building and the care of the exhibit. The people of Alaska themselves are to pay all the expenses incident to the collection and transportation of the exhibit.

Mr. CANNON. This, then, is for the building only?

Mr. TAWNEY. For the building and for the care of the exhibit.

Mr. CANNON. Who pays the balance of the expense?

Mr. TAWNEY. The people of Alaska. I have here a letter from the Secretary of the Interior, which I will not stop to read, in which he states that it is the purpose of the people of Alaska to defray the expense of collecting and transporting the exhibit, and that all that is asked of Congress is an appropriation for the erection of a building in which to house and care for the exhibit while it is in St. Louis. The great expense of this exhibit will be in its collection, and this work the people of Alaska propose to do without Government aid.

I will say further that the reason Alaska is obliged to come to Congress for the purpose of securing an appropriation of this kind is that, as we all know, they have no legislative body, no Territorial government, and can not themselves make any public appropriation. Since the acquisition of Alaska that Territory has paid into the Treasury of the United States more than \$9,000,000.

Mr. SULZER. The gentleman might go farther and say that the money raised by the people of Alaska goes into the Federal Treasury.

Mr. TAWNEY. I have just stated that the revenue derived by the General Government from Alaska aggregates something over \$9,000,000. Mr. Chairman, I ask for a vote.

Mr. CANNON. Mr. Chairman, I should like to say a word. I suppose this amendment will be adopted. I am not inclined to vote against it. Sometimes I have seen good cases spoiled in court by being sustained by insufficient argument. I do not say that this is that particular case. I do not, however, put my support of this proposition upon the ground that the money collected in Alaska goes into the Treasury. The amendment is not defensible at all from that standpoint.

Nine million dollars, my friend says, is the amount which Alaska has paid into the Treasury of the United States. Now, Alaska was acquired, I believe, in the late sixties.

Mr. DALZELL. Eighteen hundred and sixty-seven.

Mr. CANNON. I am glad that it was acquired; I feel kindly toward that Territory and its people. I am glad of all that has

been accomplished there, and hope much more will be accomplished. No government except such as we have had up there could have been, for the time being, possible. Nobody has stopped to ask how much has been expended by the Government while the nine millions have been coming in; and I do not care very much as to that.

Mr. TAWNEY. The average has been about \$150,000 a year.

Mr. CANNON. Oh, much more than that.

Mr. TAWNEY. That is my information from the Secretary of the Interior.

Mr. CANNON. Much more than that. There are lots of things that are not counted. Why, sir, this bill makes an appropriation, for instance, for extending the light-house service, carrying, I believe, \$200,000 or \$300,000; such appropriations have been carried for several years, and they ought to be carried. Then, considerable revenue has been gotten from the seal business; but where we have gotten a cent, it has cost us a dollar. However, I am not objecting. I am willing that this exhibit be made, but I do not put it on the ground of the Alaskan revenues going into the Treasury.

Now, touching this exposition, I guess it is to be a great exposition. I hope so. It has \$5,000,000 to start on. With the amendments that are to be adopted here there will be another million, making six million. Then, when we run through the account for rent and other expenses, it is reasonable to assume that such expenses will not fall short of another million dollars. And we can stand it. "In for a penny, in for a pound." I do not want to scold about this matter. But I hope that this is the last exposition for half a century to be held at the expense, in whole or in part, of the public Treasury.

The gentlemen of the Committee on Industrial Arts and Expositions have investigated this subject and moved this amendment. They had jurisdiction, and I accept their investigation and recommendation as proper so far as I am concerned. The sundry civil bill, which must pass, is, as we know, a carry-all; and it will doubtless carry this when it passes.

Mr. SIMS. Will the gentleman from Illinois kindly tell us what Alaska has cost us, exclusive of the purchase money?

Mr. CANNON. Oh, I could not do that without going into very great detail. I should have to take into consideration the Revenue-Cutter Service, the Marine-Hospital Service, the Army, and the Navy, and kindred services, and the diplomacy of the country, the settlement of international questions, the determination as to whether there was a closed sea up there inside of that wonderful body of islands. First and last, I do not know what that Territory has cost. I think it is amply worth all it has cost.

Mr. TAWNEY. Could the gentleman state how much the citizens of the United States have gotten out of Alaska as a result of our purchase and the opportunity thereby afforded them?

Mr. CANNON. Oh, not much, up to this point. Individuals, in my judgment—

Mr. TAWNEY. I am talking about individuals.

Mr. CANNON. The individual citizen, in my judgment, has paid out possibly as much money—I would guess it in that way—in the aggregate as those who have saved something. Still that is always the case in a new country. In time I think it will grow to be valuable, and it ought to be treated well.

Mr. TAWNEY. Mr. Chairman, just one word in reply to the gentleman from Illinois. The appropriation is not asked upon the ground of revenue paid into the Treasury of the United States from the Territory of Alaska. There is no question but that this Territory has proved a valuable acquisition to the territory of the United States. Nor can it be denied that the resources and products of that Territory are little known to the people of the United States or to the people of the world. I do not believe that there is a State or Territory capable of making a more creditable, more attractive, or a more interesting exhibit than the Territory of Alaska. That is one ground upon which the appropriation is asked. It is also asked on the further ground that at this exposition all the States and Territories will be represented by very large exhibits, and the people of the district of Alaska have no means of appropriating money or obtaining any official recognition at this great exposition except through Congress. If they had they would do as Arizona has done, as New Mexico and Oklahoma have done—make their own appropriation from their own treasury for their exhibit. Having no means of obtaining authority for the exhibit or the appropriation, they naturally come to Congress, which has exclusive jurisdiction. I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken; and the amendment was agreed to.

Mr. TAWNEY. Mr. Chairman, I have one more amendment, which I offer to follow the amendment just adopted.

The Clerk read as follows:

INDIAN TERRITORY EXHIBIT.

To enable the inhabitants of the Indian Territory to provide and maintain an appropriate and creditable exhibit of the products and resources of that Territory at the Louisiana Purchase Exposition in the city of St. Louis, Mo., in 1904, and to erect and maintain on the site of said exposition a suitable building to be used in exhibiting the products and resources of said Territory, the sum of \$25,000, provided that the inhabitants of said Territory shall contribute and pay into the Treasury of the United States a like sum for that purpose; the whole, to wit, \$50,000, to be subject to the order of the Secretary of the Interior, who is hereby authorized to expend the same in such manner as in his judgment will best promote the object for which the same is made available under this act, and in accordance with rules and regulations to be prescribed by him: *Provided*, That if the inhabitants of said Territory fail to so contribute and pay into the Treasury of the United States the sum of \$25,000 on or before the 1st day of June, 1903, the sum hereby appropriated shall be turned back into the Treasury of the United States.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

Mr. GAINES of Tennessee. Mr. Chairman, I would like to ask the gentleman from Minnesota if there is any request made for this appropriation by the people of the Indian Territory.

Mr. TAWNEY. The people of the Indian Territory have requested this appropriation. The Secretary of the Interior has recommended it, and the people are so anxious to make an exhibit that they agree to pay into the Treasury of the United States, \$25,000, an amount equal to the amount appropriated by this amendment.

Mr. GAINES of Tennessee. Who have agreed to that?

Mr. TAWNEY. The people of the Indian Territory.

Mr. GAINES of Tennessee. Yes; but what particular society or corporation or meeting?

Mr. TAWNEY. I do not know what particular person or society. I am advised by the Secretary of the Interior that responsible parties have made this offer. In the event that this amount is not paid into the Treasury by the 1st of June next, then this appropriation of \$25,000 will lapse and they get nothing at all.

Mr. GAINES of Tennessee. Mr. Chairman, I want to be heard just a moment. I move to strike out the last word.

Mr. TAWNEY. And I would say further that the same reason for the people of the Indian Territory coming to Congress and asking this appropriation exists in this case as in the case of Alaska.

Mr. SHATTUC rose.

Mr. TAWNEY. Mr. Chairman, I yield to the gentleman from Ohio.

Mr. SHATTUC. How about an appropriation for Guam? [Laughter.]

Mr. TAWNEY. None has been requested. I now yield to the gentleman from Tennessee, if he desires to ask a question.

Mr. GAINES of Tennessee. I am through asking questions.

Mr. Chairman, the people of the Indian Territory, the gentleman from Minnesota says, are on all fours as to conditions and surroundings with Alaska. I take it that that is what he means.

Mr. TAWNEY. With respect to legislation.

Mr. GAINES of Tennessee. Yes; and we have been robbing them of their right to be represented here, to have a representative in this House, ever since we have had hold of them, all of which I protested against, and do now. They ought to have somebody here to be able to answer these questions that have been asked. We do know of conditions in the Indian Territory, because near us, but practically little of Alaska, and presume on her condition and legislate accordingly. Now, the gentleman says his resolution provides that if we appropriate this "people" of the Indian Territory are to appropriate something.

In other words, we are trading with "we the people of the Indian Territory," an unorganized country, with no power to act save by petition, and that these people have not done in this matter. There is no society or organization, I take it, from what the gentleman says, that has requested this. There is no jury, there is no court. The governor, if they have one, has not asked for it; the preachers have not asked for it; the Indians have not asked for it; those who ask for statehood have not asked for it. Yet, Mr. Chairman, we are going along here, just throwing away the people's money like so much rotten corn—a large sum for Alaska; \$3,000,000 to go to the Philippine Islands to "build railroads and government wagon roads" that we do not build for ourselves in our own country. And now we are going to throw a lot of "chicken feed" out into the Indian Territory and say to them, "If you will give something back to the United States you may have this." "You," an unorganized people. It looks to me as if we were going wild over this matter of throwing away the people's money, scattering it around as though sand from the sea, instead of taking this hard-earned money, gathered from the backs of the people of our country, if we take it at all, and making a substantial, lasting, useful improvement instead of expending it for a "show"—a fleeting joy, soon seen, then gone forever. I have objected to such appropriations, and do now; and I opposed the Alaska item.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. TAWNEY].

The question being taken, on a division (demanded by Mr. TAWNEY) there were—ayes 53, noes 4.

Accordingly the amendment was agreed to.

The Clerk read as follows:

Suppressing counterfeiting and other crimes: For expenses incurred under the authority or with the approval of the Secretary of the Treasury in detecting, arresting, and delivering into the custody of the United States marshal having jurisdiction dealers and pretended dealers in counterfeit money and persons engaged in counterfeiting Treasury notes, bonds, national bank notes, and other securities of the United States and of foreign governments, as well as the coins of the United States and of foreign governments, and other felonies committed against the laws of the United States relating to the pay and bounty laws, including \$2,000 to make the necessary investigation of claims for reimbursement of expenses incident to the last sickness and burial of deceased pensioners under section 4718 of the Revised Statutes, and for no other purpose whatever, \$125,000: *Provided*, That no part of this amount be used in defraying the expenses of any person subpoenaed by the United States courts to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of witnesses, United States courts:" *Provided further*, That the investigation of claims for the reimbursement of expenses of the last sickness and burial of deceased pensioners shall be at the instance and under the direction of the Secretary of the Treasury, and no part of any accrued pension shall hereafter be used to reimburse any State, county, or municipal corporation for expenses incurred by such State, county, or municipal corporation under State law for expenses of the last sickness or burial of a deceased pensioner.

Mr. MADDOX. I should like to ask the gentleman from Illinois if the proviso at the bottom of page 68, in the twenty-fifth line, is not new law?

Mr. CANNON. No; that is in the current law.

Mr. MADDOX. No change in that?

Mr. CANNON. No.

The Clerk read as follows:

Alaskan seal fisheries: For salaries and traveling expenses of agents at seal fisheries in Alaska, as follows: For one agent, \$3,650; one assistant agent, \$2,920; two assistant agents, at \$2,190 each; necessary traveling expenses of agents actually incurred in going to and returning from Alaska, not to exceed \$500 each per annum; in all, \$12,950.

Mr. GAINES of Tennessee. I should like to ask the gentleman from Illinois who are these agents and for whom do they work? It says "traveling expenses of agents at seal fisheries in Alaska."

Mr. CANNON. I will say to the gentleman that the agents are provided for by law, officers of the United States, paid by the United States; but he asks me a very hard question when he asks for whom they are working. In theory they are working for the United States, and I must presume that they are so doing, for the best interests of the United States. There have been intimations from time to time that possibly they were working for the interests of the contractors.

Mr. GAINES of Tennessee. I knew that if there was anyone this side of Alaska who knew whom these gentlemen were working for it was the distinguished gentleman from Illinois. The bill does not state, and I do not think the report states, and I wanted to find out whether they were working for the Government as officials or whether they were working for some private firm.

Mr. CANNON. Well, I do not know. I never was in Alaska. I do not know who the agents are. Presumably they are performing their duties.

Mr. GAINES of Tennessee. Will the gentleman tell me what they do?

Mr. CANNON. Oh, they go up there on the Pribilof Islands where the seals come in at a certain season of the year, following their instincts, roaming around for pleasure and the perpetuation of the species, and so on, and when they come in there the people who have the contract are there for the purpose of killing certain designated seals. I think the killing applies to the males. This animal is polygamous in his habits. You can kill off a certain quantity of males of certain ages without endangering the perpetuity of the species. The skins are valuable, as we all know, and these agents are there, and their duty is to see that no seals are killed except those that may be killed under the contract.

Mr. GAINES of Tennessee. Then, if that is true, it would seem that the agents are working for the Government to protect the seals.

Mr. CANNON. Presumably; it is their duty to work for the Government.

Mr. LACEY. Mr. Chairman, I move to strike out the last word. The contention has been made that the parties engaged in protecting the salmon fisheries have been so inadequately supplied with funds that they have been compelled to enjoy the hospitality of those engaged in the business, and thus have not been able to point out the violations of the law, because it is a difficult thing for one enjoying the hospitalities of another to call attention to any infraction of the law on the part of his host. Now, I want to ask the gentleman if the committee has investigated the propriety of furnishing additional funds for those men,

so that they could travel independently and look after the protection of the fisheries in Alaska?

Mr. CANNON. They do not have to accept hospitalities. I do not know whether they do or not, but there is no necessity for their doing so. I will state that, with a few natives, and no great number of white people, and the fact that a few people are living in comparative solitude, with the absence of a population to make civilization, the absence of criticism, no eye to watch in this great space except the eye of the Almighty, I should think very likely that a man if he was at all inclined to lapse from vigilance might conclude up there, in the regions of ice, snow, and storm, that the Almighty was watching the warmer places on earth, and that they might be remiss. A man of high integrity would perform his duty. Whether all the officials have performed their duties under these conditions I do not know. There is no necessity or any propriety in any official of the Government accepting the hospitalities of anybody. The appropriations are sufficient.

Mr. SULZER. Mr. Chairman, in connection with what has just been said, I desire to say to the gentleman from Illinois [Mr. CANNON] and in his presence to the members of the committee and to the country what is known by many and should be known by all, and that is, that if the gentleman from Illinois had not objected last session to my bill "to encourage salmon culture in Alaska and for the protection of persons engaged in the production thereof," it would be unnecessary for him at this time to appropriate this money, because the people in Alaska engaged in this industry would have attended to the matter themselves. If that bill introduced by me had become a law, this money would have been saved this year and all the years to come. It is quite a large sum, and it will grow larger each year. My bill is intended to stop this drain on the Treasury.

Now, sir, let me read this bill, so that we will know exactly what it does.

Be it enacted, etc., That any person or persons who heretofore or hereafter may establish and maintain a hatchery for the artificial production of salmon in the district of Alaska shall be entitled to the exclusive right of all fish that such hatchery may produce in excess of the normal product of such stream for a distance of 1 mile in all directions in tide water from the mouth of the stream upon which such hatchery may be located.

SEC. 2. That when the average normal product of any stream on which a hatchery may be maintained shall have been taken within 1 mile of the mouth of said stream in any one year by any party or parties, then the remaining fish produced by said hatchery shall be the property of the owner or owners of said hatchery for a distance of 1 mile in all directions in tide water from the mouth of said hatchery stream, and for a further distance of 4 miles in all directions in tide water it shall be unlawful for any party or parties to take fish of the kind propagated by the hatchery for whose protection this law is enacted.

SEC. 3. That in case other streams producing salmon of the same kind as those produced by the hatchery so protected shall intervene within a distance of 5 miles, then the normal product of such intervening stream shall be included in and added to the normal product of such hatchery stream subject to the same conditions as are provided in section 2 of this act.

SEC. 4. That the provisions and immunities of this act shall apply to barren streams and lakes that shall have been stocked with fish from artificial hatcheries.

SEC. 5. That in case two or more persons shall maintain hatcheries on the same stream, or stock barren lakes or streams, such persons shall be entitled to their proportionate number of adult fish so produced, and each party shall file a sworn statement of his or their output of young fry with the nearest United States commissioner each year.

SEC. 6. That native Indians may at all times take sufficient fish for food or for drying for winter use as food for themselves or families, and fishing with the rod shall be open and free for all persons.

SEC. 7. That the Secretary of the Treasury is hereby authorized to grant leases in accordance with the foregoing sections of this act, for a period not to exceed twenty years from the time the product of their hatcheries shall return, to all persons producing satisfactory proof of having maintained hatcheries on any of the streams of Alaska not producing, in a normal state, more than 10,000 salmon of the kind propagated by said hatchery; such lease subject to renewal at the discretion of the Secretary of the Treasury: *Provided*, That before any such lease shall be granted the party or parties making application therefor shall accompany such application with proof sufficient to establish the normal product of such stream; and no person shall be entitled to more than one hatchery lease or the privilege of stocking more than three barren lakes or streams and being protected in the product thereof. Corporations owning and operating canneries shall be entitled to one hatchery franchise for each cannery so operated, and no more. All hatcheries that may have been started and maintained on streams producing more than 10,000 salmon of the kind propagated prior to the passage of this act shall be entitled to all immunities of hatcheries established on streams producing not more than 10,000, as provided in this section.

SEC. 8. That all rights and privileges granted by this bill are subject to the supervision and regulation and repeal by Congress.

This bill was introduced by me January 23, 1902, and unanimously reported by the committee on May 16, 1902. It would have passed this House long ago if it were not for the opposition of my friend from Illinois. I can not account for his antagonism to this bill. It is a worthy bill. The people in Alaska want it, and there is no good reason why it should not pass.

The purpose of the bill is to maintain and increase the normal product of salmon in Alaska. The destruction of the salmon fishery on the Atlantic coast demonstrates beyond any question that some steps are necessary to be taken to protect and preserve this great and valuable source of food supply on the Pacific coast, or it will ultimately meet the same fate.

The provisions of the bill will give the necessary protection and

encouragement to private citizens to invest their capital and labor in the work of propagating young salmon, which are absolutely needed to replenish and increase the natural supply, which is now being steadily exhausted, and which unless some such action is taken by the Government will be finally exterminated. This law will not only keep up the present supply, but will enormously increase the normal supply.

The proposed law simply gives to parties a legal right to property they create from the wastes of nature at their own cost and without taking anything of value from the public domain. If they produce ten where nature produced but one, they surely should have the right to the increase. They also enrich the waters outside the protected zone by thousands of fish that will be public property.

No title in fee simple is asked, merely a lease that need not be renewed unless its continuation should seem just and proper.

The bill also provides that these leases shall be subject to repeal by Congress at any time, in case the public interests may demand.

No person or corporation will have a monopoly of any stream. All have equal rights, as provided in section 5. And no individual can have more than one franchise, or corporation more than one for each cannery actually operated. The rights of Indians are more than protected, as they have free access for food purposes to the artificial product, and in common with others to the normal product. Fishing with hook and line is free to all.

Limiting hatchery franchises to small producing streams will prevent clashing of interests, as streams producing 10,000 or less of the valuable redfish are considered of small value and are seldom fished by more than one party, while the large producers, running as high as 2,500,000, are fished by several persons and corporations. Those who have already maintained hatcheries on streams producing large numbers should be protected, in all fairness.

There are thousands of streams and lakes that are barren because of falls near tide water which no fish can pass on the upward passage. By stocking these streams with young fry, you reclaim a desert; yet this can be accomplished, and the commercial results of which would be enormous; to accomplish this, however, entails a considerable expense.

No policy will advance the settlement of Alaska more or as much as that provided for in this bill. Every industrious fisherman can, and many will, embark in salmon culture, and in connection with his hatchery will develop what there may be of agricultural resources that will never be utilized except in connection with some auxiliary industry. Nearly all the lands suitable for agricultural purposes are situated at the mouths of streams.

The 1 mile reserved to the propagator in many cases would not be sufficient protection, but a further reserve of 4 miles, as set forth in section 2 of the bill, from which all parties are excluded from taking fish of the kind propagated, will leave those which might be in transit free to pass on to their native streams unhindered, and if they are the product of the protected hatcheries they will go there also unhindered.

Fishing for all kinds of salmon, of a different species from those propagated, as well as other species of fish, is free and open to all.

Col. H. M. Kutchin, special agent of the Treasury Department for the Alaska salmon fisheries, says regarding this measure:

The bill is fair and equitable. I think that any man who is disposed to put in his time and money and effort as Mr. Callbreath and others have, should be protected, and I think this bill does it fairly and well, and that it does not encroach upon the rights of anybody. It does not give anybody the exclusive rights of streams. There will probably be contentions, where there are two men on a stream, as to how many fish each produced and how many of the returning fish are his, but that can not be cared for in this particular bill. I think it is a good bill. So far as the preservation of fisheries is concerned, I think there should be a vital revision of law. There should probably be limitations as to the duration of the fishing seasons and the size of the pack.

Commander J. F. Moser, United States Navy, commanding United States Fish Commission steamer *Albatross*, examining into the fisheries of the Pacific coast, says in his report for 1900 to the Treasury Department, page 227:

Mr. Callbreath is positive that his fish will return, but he now believes the time has not yet arrived for the first output to mature. It is earnestly hoped he may realize all he anticipates, for the zeal and enthusiasm which he displays should meet with ample reward. In the meantime he is carrying on a very interesting experiment. If his fish return he will have demonstrated that salmon do return to the parent stream, he will have thrown much light on the age of fish, and he will have proved that a stream running a few fish can be made to yield abnormally. If this is demonstrated a law should be passed permitting the leasing of small streams for hatchery purposes and recognizing ownership in fish thus hatched. This would mean a great deal to southeastern Alaska, as it would draw settlers who could make a very good living by operating a hatchery and cultivating the little patches of land that are favorably located.

Now, Mr. Chairman, the gentleman from Illinois is opposed to this bill, and unless he withdraws his opposition it can not pass by unanimous consent, and I am afraid it will not be reached on the Calendar in its regular order ere this Congress adjourns. The

gentleman prides himself on being the watchdog of the Treasury. He is a poor watchdog, however. He is at times shortsighted. Sometimes he is penny wise and pound foolish, and that is this case. If my bill were a law these annual appropriations would cease and much money would be saved. His opposition to this meritorious bill can only be explained on the theory that he is either misinformed or needs to be informed, and I hope the information I shall give him to-day will be sufficient to convince him of his error, so that he will withdraw his opposition.

The gentleman I know is very wise, but I doubt if he knows it all. I have heard him several times on this floor talking about Alaska; that is, telling us what he knew, or rather, I should say, what he did not know about Alaska. It is all very amusing to hear him talk about Alaska. He knows so much about it—about the place that he has never seen or even read much about. In other words, when he demonstrates his remarkable lack of information in regard to that vast domain it is to laugh. He has never been there; he knows little about Alaska, and yet, week in and week out, whenever there is a bill before this House for the Alaskans—a bill that the people of that Territory want, a bill that should pass and become a law—the genial gentleman from Illinois rises up, in his peculiar way, with a know-it-all smile on his sunshiny face, and in a voice that is childlike and bland tells us all he does not know about Alaska. As a piece of farce comedy it is good acting, but it is not statesmanship and it is cruel and unjust to the good people of Alaska.

If the gentleman would only visit Alaska, if he would go there for a while and see what there is up there, if he would only acquaint himself with the people who live there and find out for himself their wants, I am satisfied he would not be heard in the next Congress objecting to necessary legislation that the people of Alaska demand and ought to have. Alaska is an anomaly in our sisterhood of States and Territories. She is neither a State nor a Territory. She is neither flesh, fowl, nor good red herring. Alaska to-day has no government. She has, I regret to say, absolutely no voice in her own affairs. The taxes that she pays and the money that she raises, all, every dollar, goes into the Federal Treasury. The people of Alaska want to govern themselves. They want home rule—Territorial government—and they should have it.

Now, Mr. Chairman, I say that the gentleman from Illinois does not understand this question, and he never will understand it unless he will take a day off and study. The salmon business is one of the great industries of Alaska. Southeastern Alaska furnishes nine-tenths of all the canned salmon in the world, and the total product from Alaska this year of canned salmon will amount to over \$9,000,000; and yet the gentleman a little while ago did not want to give the people of Alaska a mere pittance of money to properly exhibit the products and resources of Alaska at the Louisiana Exposition to be held in St. Louis in 1904.

This bill I introduced, as I have previously stated, is for the protection of the salmon of Alaska and to prevent their extermination. It is well known by those who have studied this matter that unless there is some legislation to artificially propagate the salmon it is only a question of time when the salmon in Alaska will become extinct. Those who do this at their own expense should be protected.

The salmon industry is one of the great industries in Alaska. A great many canneries have been established there, are being established there, and will continue to be established. At the present time millions of dollars are invested. The product of these canneries is one of the most valuable products of the district and one of the great products of this country. It foots up every year into millions and millions of dollars. Besides the monetary question involved in this matter as an industry of the United States, the great point that I wish to make is this: I am in favor of protecting the fish and game of America, and I have always, since I have been a legislator, in my State and here in Washington, done all that I could to accomplish that purpose. It is a sad commentary on our civilization that by reason of our lack of judgment and foresight we have allowed the most valuable fish of the Atlantic to be exterminated, and we have allowed the larger wild animals of our country to become practically extinct.

Mr. Chairman, just a few words more. This bill is not in the interest of the canneries, although in my judgment it would help and not hurt the canneries. I am informed that they have no objection to it. After careful study, it is my opinion that if this bill should become a law it will do more to perpetuate and increase the salmon than anything else that we can do at this time. I say further, this bill gives no exclusive rights, no monopoly to anyone. It is a fair, just, and conservative bill, and ought to pass. If any member can suggest amendments that will improve it in any way I shall be glad to accept them. Another thing, this bill provides that nothing contained in it shall in any way prevent

line or fly fishing by tourists, sportsmen, or persons who go to Alaska, or anyone in Alaska. It also provides that the Indians, or natives of Alaska, can catch the salmon for food, or for drying for winter use as food for themselves and their families. Hence, taking it all in all, I believe this bill is a very fair and a very just bill in the interest of one of our great industries, which, if not protected by a law similar to this bill, will ere long be destroyed, the greatest fish in the world exterminated, and one of the great staple diets of civilization eliminated.

That, sir, is all I care to say at this time in relation to this matter; but in order to prove to the gentleman from Illinois that the people of Alaska want this bill to pass and become a law, I wish to read as a part of my remarks some editorials in favor of the bill, taken from newspapers published in Alaska, together with some petitions, resolutions, and letters from citizens in Alaska, and all to the same effect.

The grand jury at Juneau, Alaska, on December 20, 1902, reported as follows:

GRAND JURY REPORT.

HON. MELVILLE C. BROWN,
*Judge of the United States District Court,
Division No. 1, District of Alaska:*

May it please your honor:

We, the members of the grand jury, duly empaneled and sworn for the December term of the United States district court in and for the district of Alaska, division No. 1, begun and held at Juneau, December 1, 1902, having concluded all our labors, beg leave to submit the following report, and respectfully ask to be discharged from further attendance upon the court:

We have been in session nineteen days, during which time we have found true bills against 54 persons, and not true bills against 6 persons. The grand jury has earnestly endeavored to carry out the instructions of the court. We have investigated public gambling and other offenses within the jurisdiction of the court. This report will also touch upon some matters that have come to the notice of the grand jury which need reform, but which would not be covered by an indictment.

Believing the salmon fisheries of Alaska to be foremost among her great natural resources, we recommend that bill H. R. 9976, introduced by Mr. SULZER January 23, 1902, entitled "A bill to encourage salmon culture in Alaska, and for the protection of persons engaged in the production thereof," be enacted into a law at the present session of Congress; also that bill H. R. 14464, to amend the law relating to the salmon fisheries of Alaska, introduced by Mr. LACEY May 15, 1902, be enacted into a law at the present session of Congress; both of which bills, if enacted into law, will greatly assist in restoring the depleted streams and assuring a continuation of the full normal product of those streams not already depleted.

The grand jury wishes to thank the United States district attorney and his assistants and the United States marshal and his deputies for the aid they have rendered us during our investigation.

Unanimously adopted by the grand jury in session this 19th day of December, 1902.

J. T. MARTIN, Foreman.

Attest:

W. R. BENTLEY, Secretary.

I will now read the following letter from Governor John G. Brady:

DEPARTMENT OF THE INTERIOR,
DISTRICT OF ALASKA, OFFICE OF THE EXECUTIVE,
Sitka, Alaska, December 9, 1902.

HON. WILLIAM SULZER, M. C.,
Washington, D. C.

DEAR SIR: Capt. John C. Calbreath, of Fort Wrangell, Alaska, has brought to my attention a bill (H. R. 9976, Fifty-seventh Congress, first session) to encourage salmon culture in Alaska, the same having been introduced by you.

The question of salmon culture has had attention in my annual reports since I have been governor, and I have advocated the multiplication of hatcheries, for the reason that we should be careful to put more salmon life into the streams than we take out of them, if we do not wish these streams to become depleted.

My own notion has been all along that the United States Government should assume complete control of the hatcheries and the streams and be responsible for all of the salmon culture, and tax the canneries for this business in proportion to the pack of each plant. In fact, to call to Washington Capt. Jefferson F. Moser, who no doubt is the best posted man on the salmon industry of Alaska, and let him suggest the details of the law which should be passed and then put him at the head of a commission to come here with his inspectors and enforce it. Of course, they should be supplied with all the conveniences for this purpose.

The market value of the pack for this year will no doubt exceed the purchase price of the Territory.

A question of such financial interest to this district and to the country at large should have the solicitous attention of Congress.

If nothing of this kind is to be undertaken, then the least that could be asked of Congress is that such enterprises as Mr. Calbreath has undertaken and fostered for so many years should have the protection of law.

I think the bill which you have introduced is eminently fair, and it is undoubtedly so to the natives, who are now complaining bitterly in places against the present methods of the cannery men.

I hope that the committees of both Houses who have the matter in hand will listen attentively to Mr. Calbreath and pass this measure, which will do him and others who undertake like enterprises substantial justice.

Respectfully, yours,

JOHN G. BRADY, Governor of Alaska.

[From Evening Journal, December 11, 1902.]

The Hon. H. M. Kutchin, agent of the Treasury Department in charge of the Alaska salmon inspection, estimates that the output of the Alaska canneries for 1902 will be 2,470,000 cases, or about 400,000 in excess of 1901. This, he estimates, represents about 37,000,000 salmon caught in Alaskan waters this year. Mr. Kutchin says there were nine more canneries operated this year than last.

[The Douglas Island News, December 31, 1902.]

We were shown to-day a copy of the Sulzer bill, introduced last winter, to "encourage salmon culture in Alaska, and for the protection of persons en-

gaged in the production thereof," and can say without hesitation that it meets our approval. The bill carefully guards against a monopoly of its immunities by the great corporations and will do more toward keeping up and increasing the supply of this great industry than any measure yet brought to our notice. The bill should be enacted into a law at this present session of Congress.

[Alaska Sentinel, Thursday, January 8, 1903.]

We have before us a copy of the Sulzer bill, introduced last winter to encourage salmon propagation in Alaska, and heartily indorse the measure, as do all others whom we have heard discuss the subject. If there is any virtue in artificial propagation, this seems a very inexpensive way, so far as the Government is concerned, without encroaching upon the rights of anyone. It will make 100 blades of grass grow where but 1 grew before, and, as regards the barren lakes and streams, where absolutely none grew before, and that, too, without costing the Government \$1 or an acre of land, or granting any exclusive privileges to individuals or corporations except that which they create from nature's wastes. It will be carrying out the old Mosaic law that "He who buildeth a house shall dwell therein; and he who planteth a vineyard shall gather the fruit thereof." The Sentinel is pleased to know that so meritorious a measure as this originated in the brain of a Wrangell man (Capt. J. C. Calbreath). And we may add further that a man of his knowledge of the fishing industry is needed at the head of Alaska's fishing interests.

[Daily Alaska Dispatch, December 17, 1902.]

RECOMMEND THAT PIONEER HATCHERY RECEIVE JUSTICE—CHAMBER OF COMMERCE HONORED BY ADDRESS FROM PIONEER SALMON HATCHERY PROMOTER OF ALASKA.

The Chamber of Commerce at last evening's meeting indorsed the bill introduced by Congressman SULZER to encourage and protect private hatcheries in Alaska. The meeting was addressed by Mr. John Calbreath, the pioneer hatchery man, who related many interesting incidents regarding the salmon and its habits. Mr. Calbreath started his hatchery nearly eleven years ago. Season after season he has hatched his fry, carefully nursed the young fish for two seasons, and sent them to sea, promised by nature that at some future year they would return to reward the hand that raised them.

The age of the salmon is to Mr. Calbreath unknown, but years of patient toil has allowed him to freely estimate, and there will be keen disappointment if the first return is not realized next year. There is more than gold for this old gentleman in the solution of the question. It is the solution of a problem that injures no man, and will make the name of Calbreath famous wherever fish is known as food. This gray-haired old man will have solved the problem of making the ocean the growing ground for billions of salmon, and the Alaska creeks their kindergartens until they are strong enough to battle with their salt-water enemies.

A petition will be circulated this week for signers recommending the passage of the bill. If you believe in honesty being rewarded and recognition of a life's toil, sign.

Mr. Chairman, I will now read a letter from United States District Judge Brown, as follows:

DEPARTMENT OF JUSTICE,
UNITED STATES DISTRICT COURT,
FIRST DIVISION, DISTRICT OF ALASKA,
Juneau, December 26, 1902.

DEAR SIR: I have examined H. R. 9976, respecting the culture of salmon in Alaska. The bill seems to have been carefully and thoughtfully prepared with the view of encouraging the salmon industry in this district. While it is possible perhaps that corporations and combinations may take improper advantage of its terms, still the objects and purposes of the bill are clearly in the right direction. Indeed, the power of monopolies to injure the salmon industry generally or to monopolize the business under the bill seems to be fairly well guarded against by its terms.

This bill is in general favor among the people of Alaska, and, I have no doubt, will work great good. Should it later appear that corporations and combinations are formed whereby a monopoly of the salmon business should be effected, this can be easily remedied by future legislation.

My belief is that the bill should pass in its present form without delay, possible danger of monopoly under its terms being met by legislation when such dangers actually arise.

Very respectfully,

M. C. BROWN, Judge.

And in conclusion, Mr. Chairman, I read the following petitions and resolutions:

WRANGELL, ALASKA, January 2, 1903.

To the honorable the Senate and House of Representatives
of the United States of America in Congress assembled:

The undersigned citizens of the town of Wrangell, district of Alaska, having in view the preservation of the salmon fisheries of Alaska, would most respectfully pray your honorable body that the House bill No. 9976, introduced by Mr. SULZER January 23, 1902, and referred to the Committee on Territories, which committee unanimously reported the bill with an amendment, on May 16, 1902, with the recommendation that it do pass, be enacted into a law at the present session of Congress. Your petitioners believe that the above-named bill, if enacted into a law, will go far toward preserving the valuable salmon industry of Alaska from extinction, without any cost to the Government or infringement on private rights, or the possible creation of monopolies, and at the same time protect private parties in the fruits of their enterprise.

Erwin Farrer, master steamer *Ella Rohlfss*; Henry Farrer, fisherman; A. Osborn, stem layer; L. J. Cole, lumberman; A. T. Spader, lumberman; Chas. Eagle, lumberman; F. H. Gray, naturalist; A. V. R. Snyder, editor Alaska Sentinel; F. W. Carlyon, merchant; A. J. Choquette, fisherman; Floyd Burgess, fisherman; Chas. E. Weber, resident; John E. Sales, logger; Chas. H. Darwell, cooper; Edwin Hofstad, master; Edwin Gludecke, fisherman; L. M. Churchill, master steamer *Baranoff*; George Clark, attorney at law; Thomas C. McHugh, merchant; C. P. Cole, ship carpenter; Leo C. Patenaude, resident; Geo. W. Card, lumberman.

J. T. Beardsell, resident fisherman; Jno. Finlayson, resident fisherman; C. A. McCulloch, resident bookkeeper; J. T. Hamilton, hotel manager; Mr. M. C. Marshall; Stephens Chernoff, Hotel Warck; Patrick Loftus, resident fisherman; Robert Reid, wharf owner; Donald Sinclair, merchant; Wm. Cook, laundry; E. P. Lynch; F. S. Willson, lumberman; Chas. A. Thompson, butcher; Richard Hofstad, fisherman; S. S. Kincaid, dairyman; Wm. M. Taylor, chief engineer steamer *Baranoff*; A. Vreath, lumberman; Charles Borch, copper; J. C. Martindale, blacksmith; Thos. Dalgity, gasoline engineer; Adolf Engstrom, fisherman; F. Tierney, fisherman; Elmer Prescott, logger; J. B. Gallared.

J. F. McLean, engineer; Gus. A. Lehner, fisherman; Harry Brice, clerk; C. H. Bryant, fisherman; C. H. Kinney, engineer; David Johnston, expressman; Geo. F. Scott, logger; Peter J. Choquette, resident logger; O. W. Stanton, Wrangell Drug Co.; J. F. Collins, steamship agent; L. B. McGee, carpenter; John E. Worden, postmaster; Geo. H. Barnes, logger; Fred. S. Johnston, secretary Fishermen's Union; H. Anderson, engineer; John Schuler, tinner; H. D. Campbell, merchant; W. C. Waters, merchant; L. R. Milligan, clerk; J. G. Grant, merchant; C. S. Hubbell, surveyor; Wm. G. Thomas, United States commissioner; I. Frohman, merchant; Y. M. L. Bitoux, engineer; Wm. Sillmer, fireman; Wm. D. Grant, deputy United States marshal; R. D. Crittenden, farmer; (Rev.) H. P. Cosser, minister of the Indian church, Wrangell; Tom Wilson, fireman and fisherman; M. F. Hopstad, miner resident.

Resolved, That it is the sense of this chamber that H. R. bill No. 9976, introduced by Hon. Mr. SULZER January 23, 1902, a copy of which was published in the Alaska Sentinel on January 8, 1903, be enacted into a law at the present session of Congress, to the end that our valuable salmon fisheries be preserved and increased, which we feel assured will result from a general system of private hatcheries located on the small producing streams. We can discover no possibility of a monopoly growing out of the provisions of the bill, as no individual or cannery can possess more than one hatchery franchise and no lease can control the exclusive right to a stream. And it is the further sense of this chamber that the Government should erect and maintain hatcheries on the large streams that may be suitable for extensive plants.

J. F. COLLINS, President,
J. E. WORDEN, Secretary,
Chamber of Commerce, Wrangell, Alaska.

To the honorable the Senate and House of Representatives
of the United State of America in Congress assembled:

The undersigned citizens of the town of Sitka, district of Alaska, having in view the preservation of the salmon fisheries of Alaska, would most respectfully pray your honorable body that the House bill No. 9976, introduced by Mr. SULZER January 23, 1902, and referred to the Committee on Territories, which committee unanimously reported the bill with an amendment on May 16, 1902, with the recommendation that it do pass, be enacted into a law at the present session of Congress. Your petitioners believe that the above-named bill, if enacted into a law, will go far toward preserving the valuable salmon industry of Alaska from extinction, without any cost to the Government or infringement on private rights or the possible creation of monopolies, and at the same time protect private parties in the fruits of their enterprise.

Wm. L. Distin, United States surveyor-general and secretary; D. H. Jarvis, United States customs; J. F. Linnott, United States customs; Matthew Bridge, United States customs; Edward de Groff, United States commissioner; W. P. Miller, merchant; Roll Brothers, merchants; Alexander M. Archangelsky, hotel; George Kostrometinoff, merchant; P. J. Kostrometinoff, merchant; Bernard Hirst, merchant; Wm. A. Kelly, superintendent of schools.

UNITED STATES OF AMERICA,
District of Alaska, Division No. 1:

I, Edward de Groff, a United States commissioner in and for the district of Alaska, residing at Sitka, in said district, duly commissioned and sworn, do hereby certify that the signatures to the petition as above set forth are the bona fide signatures of the persons represented; that I am well acquainted with all of the signers to the above petition and with their signatures; and I further certify that the said signers to the above petition are well known to me to be officials and representative business men and property owners of this precinct, and that they signed the said petition after having read the same and knowing the contents thereof.

In witness whereof I have hereunto set my hand and affixed my official seal this 26th day of December, A. D. 1902.

EDWARD DE GROFF,
United States Commissioner.

DECEMBER 24, 1902.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

The undersigned citizens of the cities of Douglas and Treadwell, district of Alaska, having in view the preservation of the salmon fisheries of Alaska, would most respectfully pray your honorable body that the House bill No. 9976, introduced by Mr. SULZER January 23, 1902, and referred to the Committee on Territories, which committee unanimously reported the bill with an amendment on May 16, 1902, with the recommendation that it do pass, be enacted into a law at the present session of Congress. Your petitioners believe that the above-named bill, if enacted into a law, will go far toward preserving the valuable salmon industry of Alaska from extinction, without any cost to the Government or infringement on private rights or the possible creation of monopolies, and at the same time protect private parties in the fruits of their enterprise.

Elmer E. Smith, druggist; H. R. Elliott, druggist; J. Jensen, hardware; H. R. Garner, M. D.; P. H. Fox, merchant; S. A. Jackson, missionary; E. S. Churchhill; Chas. A. Fox, mining; Carl H. Erickson, merchant; E. L. Emslie, butcher; Frank Bach, merchant; V. L. Holt, principal of school; John Fensi, general merchant; V. C. Spaulding, prospector; J. Haho, cigar store; L. F. Kemmis, watchmaker; F. E. Vestal, barber; J. L. Miller, barber; Christ. Fox, merchant; J. Heuburn; R. R. Hubbard, postmaster and merchant; Walter Gould, salesman; Fred. P. Henson, salesman; Geo. Riedl, baker; M. J. O'Connor, merchant; W. L. Harrison, dentist; M. G. Beltzhoover, jeweler; I. B. McPherson, prospector; S. J. Bertram, restaurant; John Henson, boot and shoe maker; Chas. A. Hopp, mayor, and editor of Douglas Island News; M. C. Howell, engineer; Adam Hopp, harness maker; R. J. Willis, postmaster; Treadwell; T. M. Tabbs, Treadwell; Joseph MacDowell, general superintendent Alaska Treadwell Gold Mining Company; H. G. Slater, lumber manufacturer; W. C. Boyd, miner and property holder.

JUNEAU, ALASKA, December, 1902.

To the honorable the Senate and House of Representatives
of the United States of America in Congress assembled:

The undersigned, citizens of the city of Juneau, district of Alaska, having in view the preservation of the salmon fisheries of Alaska, would most respectfully pray your honorable body that the House bill No. 9976, introduced by Mr. SULZER, January 23, 1902, and referred to the Committee on the

Territories, which committee unanimously reported the bill with an amendment on May 16, 1902, with the recommendation that it do pass, be enacted into a law at the present session of Congress. Your petitioners believe that the above-named bill, if enacted into a law, will go far toward preserving the valuable salmon industry of Alaska from extinction, without any cost to the Government or infringement on private rights or the possible creation of monopolies, and at the same time protect private parties in the fruits of their enterprise.

Indorsed by the Alaska Chamber of Commerce this 16th day of December, 1902, at Juneau, Alaska.

GEO. F. FORREST, President.
H. SHATTUCK, Secretary.
And 72 others.

JUNEAU, ALASKA, December, 1902.

To the honorable the Senate and House of Representatives
of the United States of America in Congress assembled:

The undersigned, citizens of the city of Juneau, district of Alaska, having in view the preservation of the salmon fisheries of Alaska, would most respectfully pray your honorable body that the House bill No. 9976, introduced by Mr. SULZER January 23, 1902, and referred to the Committee on the Territories, which committee unanimously reported the bill with an amendment on May 16, 1902, with the recommendation that it do pass, be enacted into a law at the present session of Congress. Your petitioners believe that the above-named bill, if enacted into a law, will go far toward preserving the valuable salmon industry of Alaska from extinction, without any cost to the Government or infringement on private rights or the possible creation of monopolies, and at the same time protect private parties in the fruits of their enterprise.

H. Bowen, merchant; E. Valentine, jeweler; E. L. Pulver, jeweler; Harry C. Owen, barber; A. Crawford, storekeeper; Frank A. Brown, president Boston Group G. M. Co.; John Crawford & Co.; Oscar Foote, lawyer, Juneau, Alaska; T. J. D. Moler, attorney at law; A. W. Fox, stenographer; S. Garfinkle, merchandise; J. D. Abrams; E. F. Hinckley; W. C. Graham, cigar business; John A. Lamont, miner; James Thuman, miner; C. W. Babbenge, jeweler; H. J. Raymond, salesman; John McLaughlin, wharfinger, P. C. Co.; Rev. Christian A. Roth, Protestant Episcopal Church; H. H. Sterling, bookkeeper, Alaska Treadwell G. M. Co.; C. W. Simmons, cashier First National Bank; J. J. Sharick, jeweler; Kaufman Bros., merchants; Richard P. Nelson, books, stationery, etc.; Homer Bunta, mess., Ala. Pacific Express Company; J. G. Davies, assayer; Chas. Goldstein, merchant; W. C. Irish, cashier; B. M. Behrends, banker and merchant.

H. J. Harrison, Murin Iron Works; John G. Heid, lawyer; J. F. Malony, lawyer; Robt. L. Ball, druggist; Otto Haering, brewer; Jos. Andris; H. F. Ropp; J. W. Doran, druggist; Louis Levy, merchant; W. H. Hille, general manager Last Chance Gold Mining Company; H. H. Zumdick, merchant, Ketchikan; M. A. Needham, fisherman; Col. William Winn, merchant; H. I. Larrison, cigar factory and fish hatchery; Christian Dorr, fishing and fish hatchery; Geo. F. Forrest, proprietor Juneau Iron Works; W. E. Crews, attorney at law; L. P. Shackelford, attorney at law; M. G. Rogers, butcher; H. Wheelock, owner of the Hotel Franklin; J. W. Frame, editor Record-Miner; Geo. E. Piggins, with Record-Miner; Jack Russell, editor Amusement; Jos. A. C. Brant, printer; Henry States, ex-United States commissioner, attorney at law; W. R. Bently, mining; H. A. Bishop, electric engineer; Jno. J. Gualtney, stamp mill; H. E. West, merchant; Charles Wells, blacksmith; Wm. M. Ebner, president Ebner Gold Mining Company; O. H. Adsit, mayor of Juneau; J. T. Hayne, Daily Dispatch; J. C. Cameron; B. F. Smythe, printer; Theo. W. Kashevaroff.

Mr. SULZER. Mr. Chairman, I ask unanimous consent to print in the RECORD a few letters and some data on this subject.

Mr. CANNON. Mr. Chairman, all of us are not so fortunate as the eminent gentleman from New York.

The CHAIRMAN (Mr. LACEY). Does the Chair understand the gentleman from Illinois to object?

Mr. CANNON. No; I am opposing his amendment [laughter], which I believe is to strike out the last word.

The CHAIRMAN. Then the request of the gentleman from New York [Mr. SULZER] to print certain letters and data as part of his remarks is granted.

Mr. CANNON. All of us, I will say again, are not so fortunate as the gentleman from New York. Our eyesight is not so long. Sorry for it. Perhaps we might blame it on God; but if we did it would not avail anything.

For his long eyesight, his long make-up every way, physically and mentally, he is not entitled to any credit. The Lord picked him out from the beginning, before anything was, and decreed that in the year of our Lord 1903 there should be such a member in the House of Representatives. [Laughter.] Well, God did a good job. [Laughter.] We are glad of it; but the gentleman does not want to flap his wings and crow, because he was not consulted about it. [Laughter.] Because some of us were not so very fortunate we are not to blame. I have sometimes thought, when the gentleman was discoursing about Alaska, about other places, about the world, that if he could only abide with the Alaskans that it would be better than the gospel. By his example and precept how he could build that civilization up. But the Alaskans can not have him; we need him here. [Renewed laughter.]

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. The gentleman from New York [Mr. SULZER] has read a lecture to the chairman of the Committee on Appropriations. I do not presume to rise here to defend him, as he is abundantly able to take care of himself. But there were other members of the House who had something to do with the defeat of the bill, the defeat of which seems constantly to annoy and to rankle in

the bosom of the gentleman from New York [Mr. SULZER]. It was a bill having the title and denominated by him as a bill "for the protection of the salmon in Alaska," but a bill which some other members of the House, after carefully considering the same, and after investigation of the subject, and with some knowledge of the facts, thought a very thinly veiled attempt at placing the salmon fishery in Alaska in the hands of a few great corporations and making it, to the crack of doom, a great monopoly.

Of course, we differ in our views of these matters. The gentleman from New York says he considered the bill an exceedingly wise one and that he believed that it would encourage the propagation of salmon in Alaska; but inasmuch as it gave by its terms and by implication a few corporations the practical control of the salmon fishery of Alaska for all time to come, there were some of us who did not agree with the view of the gentleman from New York in regard to that matter. He does not seem to have been satisfied with the defeat of the measure, as on various occasions he has referred to it in the House since that time. The bill, in my opinion, was about as iniquitous and about as objectionable as any bill that has been presented to this Congress, and I am thankful that I had some small part in defeating it.

Mr. SULZER. Mr. Chairman, of course I am always interested, as a matter of education, to observe the gentleman from Wyoming [Mr. MONDELL] endeavor—mark, I say endeavor—to follow the gentleman from Illinois [Mr. CANNON]. [Laughter.] They are so alike, or perhaps I had better say so unlike. The apparent difference, the great difference, between the gentleman from Wyoming and the gentleman from Illinois, however, is that the gentleman from Illinois generally knows what he is talking about and the reason why he is talking, while the gentleman from Wyoming never knows what he is talking about or the reason why he is talking. [Laughter.]

As a matter of fact, I will inform the gentleman from Wyoming that the bill was not defeated and never has been defeated in this House. If I thought the gentleman from Wyoming could defeat the bill I think I would want it defeated. The record will show that the bill is on the Calendar, and I hope it will be reached before Congress adjourns. I am satisfied that if it is reached ere we adjourn it will be passed and passed by an overwhelming majority, notwithstanding the unintelligible opposition of the distinguished gentleman from Illinois and his very weak protégé, the gentleman from Wyoming. [Laughter.]

Now, the gentleman from Wyoming intimates, if I catch his meaning, that the bill would create a salmon trust, and that is the reason he is against it. A salmon trust, indeed! Why, sir, everybody here knows, who knows the gentleman at all, that if the bill created a salmon trust, or if it were favored by the Alaska canning trust, he would not be against it, but on the contrary would heartily be for it. [Laughter.] This bill is an antitrust bill. It creates no monopoly. It simply carries out a precept from that great authority to which the gentleman from Illinois adverted a little while ago, when he referred to the Bible.

I shall refer to that good Book, too—the Book of Books—and say that the laborer is worthy of his hire. If a man makes two blades of grass grow where one grew before, he is a philosopher. This bill provides that where one salmon grows now by nature, man by labor will make ten salmon grow—by building a hatchery and cultivating them; and in after years, when they come back to the place of their birth, after being out in the ocean for seven, or eight, or nine years, he shall have the right to catch a part of what he created, and be protected in that right.

That is about all the bill does. It is a good bill and should become a law. If it does, the people of Alaska, as the data I put in the RECORD show, will practically propagate and preserve the salmon for all time to come; and if something to accomplish this is not done, and quickly done, it is only a question of a few years when the salmon of Alaska will be exterminated, an industry which furnishes to the world nine-tenths of all the salmon consumed to-day destroyed, a staple article of diet eliminated, and thousands and thousands of American workmen thrown out of employment. [Applause.]

Mr. Chairman, I ask unanimous consent to print in the RECORD some data belonging to this matter.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

The President of the United States is hereby authorized, in case of threatened or actual epidemic of cholera, typhus fever, yellow fever, smallpox, bubonic plague, or Chinese plague, or black death, to use the unexpended balance of the sums appropriated and reappropriated by the sundry civil appropriation act approved June 28, 1902, or so much thereof as may be necessary, in aid of State and local boards, or otherwise, in his discretion, in preventing and suppressing the spread of the same; and in such emergency in the execution of any quarantine laws which may be then in force.

Mr. STEPHENS of Texas. I offer the amendment which I send to the desk.

The Clerk read as follows:

Insert, after line 6, page 73, the following:

"That the sum of \$50,875.53 be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of reimbursing the State of Texas the money paid out by it in the adjustment of claims relating to the transfer of Greer County from the State of Texas to the United States, as shown by Senate Document No. 571, Fifty-seventh Congress, first session, and also by the letter of the Secretary of the Interior accompanying said Senate document, said sum to be in full payment of all claims connected with said transaction."

Mr. CANNON. Mr. Chairman, I make a point of order against this provision.

Mr. STEPHENS of Texas. Will the gentleman kindly withhold the point of order until I can explain the proposition?

Mr. CANNON. Certainly.

Mr. STEPHENS of Texas. Mr. Chairman, in 1901 Congress passed an act providing that the Secretary of the Interior should adjust the accounts between the United States and the State of Texas relative to the transfer of Greer County to the United States. That county became an organized county of the State of Texas in 1886, and it remained such until 1896. A controversy arose between the United States and the State of Texas as to whether the county belonged to Oklahoma or the State of Texas, and the matter was referred to the Supreme Court of the United States, which court held that the territory belonged to the United States.

In 1901 the bill to which I have referred was passed by Congress and became a law. It provided that the Secretary of the Interior should investigate and balance the accounts between the State of Texas and the United States, and report the same to Congress. That report has been made and it is the Senate document referred to in the amendment just read. It shows that more than \$50,000 has been spent by the State of Texas for public school purposes and for the court expenses of the county, and it further shows that the State suffered also a loss of more than \$20,000 by reason of the fact that 17,000 acres of land which had been transferred to Greer County by the State of Texas for school purposes were lost to the State by the decision of the Supreme Court transferring the county to Oklahoma. It has also lost the schoolhouses, school furniture, and public buildings in that county which had been erected by the State. It is necessary now that we have the appropriation asked for by this amendment to refund this money to the State of Texas.

A bill covering this matter was introduced by me in June last and referred to the Committee on Claims, but has not been reported. I see no other method of presenting the matter to the House than by an amendment to this bill, and I hope that the gentleman from Illinois will not press his point of order, because this claim is just and should be paid.

Personally I have this also to state: In the district I represent there are numerous school-teachers interested in this claim. Every year, on the 1st of September, contracts are made in Texas with teachers for the purpose of carrying on the schools for the ensuing year.

During the year 1896, when this transfer was made from the State of Texas to Oklahoma, many school-teachers were carrying out their contracts with the State of Texas. After the decision of the court, which was adverse, as I have said, to the State, the State refused to pay these teachers, and they have been out of the use of their money from that time to the present, about six or seven years. It is only just and right that these teachers should receive their money, either from the State of Texas or the United States. But they do not expect our State to pay them for teaching after the Supreme Court had decided that the county belonged to the United States and not to the State of Texas.

Mr. CANNON. Mr. Chairman, I have listened to the gentleman from Texas carefully. I am not familiar with the matter to which he refers, and can not say whether the amount of taxes that had been collected by the State of Texas have been accounted for, etc.

Mr. STEPHENS of Texas. I will say to the gentleman that that has been done, and reported by the Secretary of the Interior.

Mr. CANNON. Judging from the statement of the gentleman, I should say off-hand that his amendment has merit. But, after all, it is a matter that rests within the jurisdiction of the Committee on Claims. I am compelled, acting for the committee on such a bill as this, to make points of order on many meritorious matters, because they do not belong on this general bill. If this were not done, bills of this kind would soon swell to such an amount that they would carry everything.

Mr. STEPHENS of Texas. Does not the gentleman think "we should be just before we are generous?" We are very generous to ourselves in providing for our use as Congressmen an office building, etc., in improving the Capitol building, and all that. Why, then, should we not adopt my amendment and pay these school-teachers, who have performed this labor and who have been out of their money for several years?

Mr. CANNON. After all, the gentleman's observation is plausible, but plausible only. All along I have had to make points of order upon different matters, many of which were eminently just, merely because we are compelled to preserve the real character and function of these bills; and the rules contemplate that we should do so. The gentleman understands, I presume, that such is the duty of the committee to the bill and to the House. Certainly my objection is not made with any personal reference to the gentleman from Texas.

Mr. STEPHENS of Texas. I appreciate the statement of the chairman of the committee and I know that the amendment is subject to a point of order, but I had hoped that he would not urge it against so meritorious a claim as I know this one to be.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

To provide flags for the east and west fronts of the center of the Capitol, to be hoisted daily under the direction of the Capitol police board, \$100, or so much thereof as may be necessary.

Mr. CANNON. Mr. Chairman, in pursuance of the notice I gave in the general debate, I offer the following amendment, which I will ask to have read.

The Clerk read as follows:

On page 73, after line 22, insert:

"To acquire a site for, and toward the construction of, a fireproof building for committee rooms, folding room and other offices for the House of Representatives, and for necessary office rooms for members thereof, to be erected on one of the squares bounded by B street south, C street south, First street east, and First west, as the commission hereinafter provided shall determine, \$750,000; and said building shall be constructed substantially according to the plans prepared under the provisions of an act of Congress approved March 3, 1901, with such modifications as may be found necessary or advantageous, and at a cost, exclusive of site, not to exceed \$3,100,000, for any part or all of which sum contracts are authorized to be entered into. Said construction and letting of contracts, including the employment of all necessary skilled and other services, shall be under the control of the Superintendent of the Capitol Building and Grounds, subject to the direction and supervision of a commission, which is hereby created, to be composed of three members-elect to the House of Representatives of the Fifty-eighth Congress, to be appointed by the Speaker of the Fifty-seventh Congress. Vacancies occurring, by resignation or otherwise, in the membership of said commission, shall be filled by succeeding Speakers of the House.

"The commission herein authorized shall, within thirty days after their appointment, determine which of the squares above described shall be acquired and used for a site for the building herein provided for, and shall notify the Secretary of the Interior in writing of their determination, whereupon the Secretary of the Interior shall, within thirty days after the receipt of such notice, proceed in the manner prescribed for providing a site for an addition to the Government Printing Office in so much of the act approved July 1, 1898, as is set forth on pages 648 and 649 of volume 30 of the Statutes at Large, to acquire the square so determined upon; and for the purposes of such acquisition the Secretary of the Interior shall have and exercise all the powers conferred upon the Public Printer in said act."

Mr. STEPHENS of Texas. Mr. Chairman, I make the point of order against that amendment that it is new legislation.

Mr. CANNON. I confess that it is subject to the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. CANNON. Mr. Chairman, I offer the following amendment, which I will send to the desk and ask to have read.

The Clerk read as follows:

On page 73, after line 22, insert:

"Toward the extension and completion of the Capitol building, in accordance with the original plans thereof by the late Thomas U. Walter, with such modifications of the interior as may be found necessary or advantageous, and for each and every purpose connected therewith, \$500,000; and the said construction shall be made under the direction of a commission composed of three Senators, to be appointed by the President of the Senate, and three members elect to the House of Representatives of the Fifty-eighth Congress, to be appointed by the Speaker of the House of Representatives of the Fifty-seventh Congress; and the Superintendent of the Capitol Building and Grounds, under the direction and supervision of said commission, is authorized to make contracts for said construction after proper advertisements and the reception of bids within a total sum not exceeding \$2,500,000, including the sum herein appropriated, and said Superintendent, subject to the direction and approval of said commission, shall employ such professional and personal services in connection with said work as may be necessary. Any vacancy occurring by resignation or otherwise in the membership of the commission hereby created shall be filled by the presiding officer of the Senate or House, according as the vacancy occurs in the Senate or House representation on said commission."

Mr. STEPHENS of Texas. Mr. Chairman, I make the same point of order against that amendment as I did against the other.

Mr. CANNON. Mr. Chairman, as to that amendment I do not confess that the point of order is well taken.

The CHAIRMAN. The Chair will hear the gentleman from Texas on his point of order.

Mr. STEPHENS of Texas. The point I raise is that it is new legislation. It has not been provided for in any other act of Congress, and the fact that it is brought here at this time shows that it is new legislation—asking that this extension of the Capitol building be made. It is certainly new legislation.

Mr. CANNON. Mr. Chairman, there is a Capitol building and the original plan for the Capitol building was made by Mr. Walter a half century ago. The same are in existence. From time to time we have appropriated for its completion, even during my service. I am inclined to think that it is not subject to the point of order. It is a continuation of work in progress, I think, in the

language of the rules. I think this is such work. It is true that it provides some machinery. It says under whose supervision it shall be done.

Mr. STEPHENS of Texas. Will the gentleman yield for a question?

Mr. CANNON. Certainly.

Mr. STEPHENS of Texas. The gentleman will not insist that there is a Capitol building in process of construction now?

Mr. CANNON. Oh, yes; that is what I do insist.

Mr. STEPHENS of Texas. At the present time?

Mr. CANNON. Yes; and there has been for fifty years.

Mr. STEPHENS of Texas. Under existing law?

Mr. CANNON. As a fact.

Mr. STEPHENS of Texas. But as a legal question, as a matter of law?

Mr. CANNON. I will say to the gentleman that the Capitol never has been completed. The designs were made under the law and from time to time work has been done upon it which looks toward completion. Now, it does provide some machinery there, which I am inclined to believe is a mere incident by way of limitation of expenditure of money. It seems to me that is the only question. I want to state, however, that if the Chair has any doubt about it I am quite willing that it should be ruled out of order. I am aware that these rules should be strictly construed and any member can invoke them. My best opinion, however, is that it is not subject to the point of order.

Mr. LITTLE. Mr. Chairman, will the gentleman yield for a question?

Mr. CANNON. Certainly.

Mr. LITTLE. I wanted to inquire if the proposition pending has been considered by the Committee on Public Buildings and Grounds. I understand that we have such a committee.

Mr. CANNON. I am not aware of its ever having been so considered.

Mr. LITTLE. I did not know that that committee had capitulated.

Mr. CANNON. I will say to my friend that the Committee on Public Buildings and Grounds never did consider anything touching the Capitol. All appropriations for progress of work upon it have not been under the jurisdiction of that committee.

Mr. STEPHENS of Texas. Does not the gentleman think that when we spend such a vast sum of money the matter should be investigated by some committee of this House and reported in the regular way, instead of being attached to an appropriation bill, when there can be no consideration given to it?

Mr. CANNON. I will say to the gentleman that it is a matter that has been elaborately considered for two sessions of Congress by the Committee on Appropriations, and a report made by direction of Congress by the Superintendent of the Capitol. That report is upon our desks and is very exhaustive. It is indeed rare that any question involving an expenditure has received the exhaustive investigation that this proposition has received.

Mr. STEPHENS of Texas. Will the gentleman permit me?

Mr. CANNON. Certainly.

Mr. STEPHENS of Texas. Was it investigated by the same authority that investigated the different attachments made to the White House?

Mr. CANNON. No.

Mr. STEPHENS of Texas. Does not the gentleman think we wasted a great deal of money there unnecessarily?

Mr. CANNON. Well, if that were true, it could not be pleaded in set-off.

Mr. STEPHENS of Texas. It might be a warning, however.

Mr. CANNON. I am inclined to think, if you will except the office building, all the improvements of the White House have been apt. I do not mean in all their details. Nothing that is human is perfect. We will never have perfection anywhere until the millennium comes.

Mr. LITTLE. Do I understand the gentleman to maintain that the Committee on Appropriations have jurisdiction of this subject?

Mr. CANNON. Absolutely. It was referred to us by the action of the House, and here is the report.

Mr. LOUD. I speak of the jurisdiction of the committee under the rule.

Mr. CANNON. This is a work in progress, and the whole subject-matter has been referred to the committee by the action of the House.

Mr. LITTLE. By the action of the House?

Mr. CANNON. Yes.

Mr. LOUD. Will the gentleman yield to me one moment?

Mr. CANNON. Yes.

Mr. LOUD. Because the decision of this question may be of considerable importance in the future.

Mr. CANNON. Yes.

Mr. LOUD. Has the gentleman so carefully examined the law

now upon the statute books providing for the construction of the Capitol that he is absolutely satisfied that the law now in existence would warrant further extension of this building?

Mr. CANNON. I will say to the gentleman that the construction of this Capitol stands almost by itself, as to these two wings. There never was a separate legislative act standing by itself that provided for it.

Mr. LOUD. Then, of course, an extension would not be in accordance with law.

Mr. CANNON. It commenced in 1850 by an appropriation upon the diplomatic appropriation bill, with authority to make plans, followed by appropriation after appropriation substantially the same, making progress, and under the authority given and the appropriation of money plans were made for the extension of the Capitol, embracing the western extension where the old library used to be, this where we are now, and the Senate extension. The plans gave an extension on the east similar to the western extension. That was never completed. The Dome has been completed; and, as proof of it, there the Dome stands, 9 or 10 feet over the wall. In addition to that, the plans are in existence. Now, if it is in order under the rule at all, it is in order because it is a work entered upon and not finished.

Mr. LOUD. Well—

Mr. CANNON. The gentleman recollects the exception as to public works in progress?

Mr. LOUD. The danger I want to call the attention of the gentleman to is as to public buildings. Somebody might contend that they are not completed, and in any appropriation bill you might carry a further appropriation of a very large amount of money. And I can not refrain from suggesting that the determination of this point of order shall go over until the bill is completed. It is a question of great importance to the House.

Mr. CANNON. I want to say to the gentleman that in all public buildings, as a rule, there is a limit fixed.

Mr. LOUD. But there never was a limit named for this in the statute.

Mr. CANNON. Precisely. In all public buildings, as a rule, there is a limit fixed, and whenever you exceed that limit you stop, because there is positive law. Here it is an appropriation in which there never was any limit, and a public work upon which there has been no limitation placed.

Mr. LOUD. Hence each appropriation is an act by itself.

Mr. CANNON. No, for the completion of a public work already in progress. Now, in my judgment this is not subject to the point of order, but I am entirely careless, so far as I am concerned, whether the point is sustained or whether it is not sustained.

Mr. RICHARDSON of Tennessee. Will the gentleman yield to me for a moment?

Mr. CANNON. Certainly.

Mr. RICHARDSON of Tennessee. I am informed that Mr. Cox, a very celebrated parliamentarian, on the question of the building of a new building at West Point held that the amendment was in order.

Mr. CANNON. I think such a ruling was made; but I do not care to resort to that ruling. Many rulings have been made criss-cross. I put this upon the ground that, I say, in my judgment, it is not subject to the point of order; that it is a public work in progress, the cost of which was never limited as to expenditure, and has been entirely made under a law which has never been complied with, and the building never completed. Now, that is my best opinion about it. [Cries of "Rule!"]

Mr. LOUD. I ask unanimous consent, Mr. Chairman, that the determination of this point of order may go over until the bill is completed.

Mr. CANNON. I do not want to do that.

Mr. LOUD. I do not care for it myself, but in the future it may come to trouble you. For myself I shall not be in the next House.

Mr. CANNON. I want to dispose of these two matters before we go much further, one way or the other.

The CHAIRMAN. The Chair is ready to rule. Section 2 of Rule XXI provides:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress; nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

The amendment offered by the gentleman from Illinois [Mr. CANNON] proposes to appropriate a certain sum for the completion of the Capitol building in accordance with the original plans and specifications and in accordance with existing law. That the construction of the building is incomplete is conceded, but the work necessary to its completion has been interrupted for a series of years. This interruption or delay, in the opinion of the Chair, does not operate so as to take this proposed amendment out of the

operation of the exception to the general rule just read, which is "unless in continuation of appropriations for such public works and objects as are already in progress." If the work incident to the completion of the building was now in progress no one would claim that this amendment would not come within the exception just mentioned.

On February 19, 1885, the House was in Committee of the Whole House on the state of the Union, considering the naval appropriation bill. A paragraph "For the completion of the New York, \$400,000," had been reached when Mr. JOSEPH G. CANNON, of Illinois, made a point of order against it. The Chairman of the Committee of the Whole [Mr. Olin Wellborn, of Texas] ruled:

Now, the Chair must believe that the construction of this ship is a public work. The Chair also believes that it is in progress. The mere fact that this vessel, begun in 1865, is confessedly still incomplete, the Chair thinks, so far as this rule is concerned, does not show that that work is not now in progress. The fact that the actual construction is temporarily interrupted for want of appropriation or some other reason does not interfere with the idea that the work is in progress. The Chair therefore overrules the point of order.

In the opinion of the Chair, therefore, the amendment is not obnoxious to paragraph 2 of Rule XXI upon the ground that the appropriation is not in continuation of such public works as are already in progress.

But the point of order made by the gentleman from Texas goes further. It is claimed that the amendment is not in order because it involves new legislation or would be legislating upon an appropriation bill. It provides that the completion of the Capitol building as originally proposed shall be "under the direction of a commission composed of three Senators, to be appointed by the President of the Senate, and three members-elect of the House of Representatives of the Fifty-eighth Congress, to be appointed by the Speaker of the House of Representatives of the Fifty-seventh Congress, and the Superintendent of the Capitol Building and Grounds," and authorizes this commission to enter into contracts for the said construction "after proper advertisement," and also authorizes said commission to employ such professional and personal services in connection with said work as may be necessary, and then specifies how vacancies upon said commission hereafter occurring are to be filled.

This, in the opinion of the Chair, is legislation inhibited by the last paragraph of the clause of Rule XXI which the Chair has just read.

This question, almost identical in form, was decided on February 28, 1898, by the Chairman of the Committee of the Whole House on the state of the Union, Mr. SERENO E. PAYNE, and for the information of the committee I will read from paragraph 513, Parliamentary Practice of the House of Representatives of the United States, page 289:

Provided also for the appointment of a commissioner-general and other officials, with specified duties and salaries; authorized certain heads of departments to prepare exhibits under certain conditions and regulations, etc.

Mr. LEVIN I. HANDY, of Delaware, made the point of order that this was legislation on an appropriation bill.

After debate, during which the act of 1897, in which the invitation of the French Government was accepted and a special commissioner was authorized to make report on the subject, was referred to as authority for the provisions of the section, the chairman ruled:

"The Chair thinks the act of 1897 is sufficient foundation for an appropriation, but not for legislation. The Chair is unable to see wherein it authorizes the office of commissioner-general or assistant commissioner from the reading of the law by the gentleman from Illinois. The rule in regard to the continuation of public works simply authorizes an appropriation in the continuance of public works and not the appointment of officers. * * * The rule would simply authorize an appropriation, but would not authorize legislation upon the subject in a general appropriation bill. There are in this paragraph several clauses which are distinctly new legislation, and if in a paragraph any clause or provision is out of order the point of order against the whole paragraph must be sustained. Of course, after the paragraph had gone out, it would be in order to offer any provision relating to the same subject which might be in order; but when the point is raised against the whole paragraph, and the paragraph contains a clause obnoxious to the rule, the whole paragraph must go out," etc.

The facts in the case just read being almost identical with the facts in the case now before it, the Chair is clearly of opinion, after a careful reading of the proposed amendment, that it proposes new legislation in connection with the proposed appropriation, which is not permissible under the rule, and that, therefore, the amendment is not in order.

Mr. CANNON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. LACEY having assumed the chair as Speaker pro tempore, Mr. TAWNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 17202, and had come to no resolution thereon.

HOUSE OFFICE BUILDING.

Mr. DALZELL. Mr. Speaker, I submit the following privileged report from the Committee on Rules.

The Clerk read as follows:

The Committee on Rules, to whom was referred House resolution No. 442, have had the same under consideration and report it herewith with the recommendation that it be agreed to.

The resolution was read, as follows:

Resolved, That it shall be in order to consider, as an amendment to the bill (H. R. 17202) making appropriations for sundry civil expenses, a provision for the acquisition of a site and toward the construction of a fireproof building for committee rooms, folding room, and other offices for the House of Representatives, and for the necessary office rooms for members thereof, to be used in the discharge of their official duties.

Mr. DALZELL. I ask for a vote, Mr. Speaker. This is a unanimous report from the Committee on Rules. [Cries of "Vote!"]

The question was taken; and the Speaker pro tempore announced that the resolution was agreed to.

Mr. STEPHENS of Texas. Division.

The House divided; and there were—ayes 140, noes 7.

Mr. STEPHENS of Texas. I ask for the yeas and nays.

The question was taken on ordering the yeas and nays.

The SPEAKER pro tempore. Nine gentlemen have arisen; not a sufficient number—the yeas and nays are refused; the yeas have it, and the resolution is agreed to.

Mr. STEPHENS of Texas. I make the point of no quorum.

Mr. FITZGERALD and others. Too late.

The SPEAKER pro tempore. The gentleman is too late in making that point.

EXTENSION OF CAPITOL BUILDING.

Mr. GROSVENOR. Mr. Speaker, I submit the following privileged report from the Committee on Rules:

The Clerk read as follows:

The Committee on Rules, to whom was referred the resolution of the House No. 443, have had the same under consideration and report it herewith with the recommendation that it be agreed to.

Resolved, That it shall be in order to consider as an amendment to the bill (H. R. 17202) making appropriations for sundry civil expenses a proposition to provide for the extension and completion of the Capitol building.

Mr. GROSVENOR. Mr. Speaker, I presume there will be no desire for debate on this motion. I therefore ask for a vote.

The question was considered; and the resolution was agreed to.

Mr. CANNON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TAWNEY in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill.

Mr. CANNON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Insert on page 73, at end of line 22:

"To acquire a site for and toward the construction of a fireproof building for committee rooms, folding room, and other offices for the House of Representatives, and for necessary office rooms for members thereof, to be erected on one of the squares bounded by B street south, C street south, First street east, and First street west, as the commission hereinafter provided shall determine, \$750,000; and said building shall be constructed substantially according to the plans prepared under the provisions of an act of Congress approved March 3, 1901, with such modifications as may be found necessary or advantageous, and at a cost, exclusive of site, not to exceed \$3,100,000, for any part or all of which sum contracts are authorized to be entered into. Said construction and letting of contracts, including the employment of all necessary skilled and other services, shall be under the control of the Superintendent of the Capitol Building and Grounds, subject to the direction and supervision of a commission, which is hereby created, to be composed of three members-elect to the House of Representatives of the Fifty-eighth Congress to be appointed by the Speaker of the Fifty-seventh Congress. Vacancies occurring, by resignation or otherwise, in the membership of said commission shall be filled by succeeding Speakers of the House.

"The commission herein authorized shall, within thirty days after their appointment, determine which of the squares above described shall be acquired and used for a site for the building herein provided for, and shall notify the Secretary of the Interior in writing of their determination, whereupon the Secretary of the Interior shall, within thirty days after the receipt of such notice, proceed in the manner prescribed for providing a site for an addition to the Government Printing Office in so much of the act approved July 1, 1898, as is set forth on pages 648 and 649 of volume 30 of the Statutes at Large, to acquire the square so determined upon; and for the purposes of such acquisition the Secretary of the Interior shall have and exercise all the powers conferred upon the Public Printer in said act.

"The appropriations herein and hereafter made for said site and building shall be disbursed by the Secretary of the Interior."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. STEPHENS of Texas) there were 115 yeas and 6 noes.

Mr. STEPHENS of Texas. Tellers, Mr. Chairman.

The question of ordering tellers was taken.

The CHAIRMAN (after counting). Only three gentlemen rising, not a sufficient number, and tellers are refused. The yeas have it, and the amendment is agreed to.

Mr. CANNON. I offer the amendment which I send to the desk. The Clerk read as follows:

Toward the extension and completion of the Capitol building in accordance with the original plans thereof by the late Thomas U. Walter, with such modifications of the interior as may be found necessary or advantageous, and for each and every purpose connected therewith, \$500,000; and the said construction shall be made under the direction of a commission, composed of three Senators, to be appointed by the President of the Senate, and three Members-elect to the House of Representatives of the Fifty-eighth Congress, to be appointed by the Speaker of the House of Representatives of the Fifty-seventh Congress; and the superintendent of said Capitol building and grounds, under the direction and supervision of said commission, is authorized to make contracts for said construction after proper advertisements and the reception of bids, within a total sum not exceeding \$2,500,000, including the sum herein appropriated, and said superintendent, subject to the direction and approval of said commission, shall employ such professional and personal services in connection with said work as may be necessary. Any vacancy occurring by resignation or otherwise in the membership of the commission hereby created shall be filled by the presiding officer of the Senate or House, according as the vacancy occurs in the Senate or House representation on said commission.

The question being taken, the amendment of Mr. CANNON was agreed to.

The Clerk read as follows:

For the Capitol: For work at Capitol, and for general and special repairs thereof, including wages of mechanics and laborers, and not exceeding \$50 for the purchase of technical and necessary books, \$382,950, to be immediately available.

Mr. CANNON. I offer the amendment which I ask the Clerk to read.

The Clerk read as follows:

In lines 16 and 17, on page 73, strike out "three hundred and sixty-two" and insert "two hundred and eighty-eight."

The amendment was agreed to.

The Clerk read as follows:

SURVEYING THE PUBLIC LANDS.

For surveys and resurveys of public lands, \$325,000, at rates not exceeding \$9 per linear mile for standard and meander lines, \$7 for township, and \$5 for section lines: *Provided*, That in expending this appropriation preference shall be given, first, in favor of surveying townships occupied, in whole or in part, by actual settlers and of lands granted to the States by the act approved February 22, 1889, and the acts approved July 3 and July 10, 1890, and, second, to surveying under such other acts as provide for land grants to the several States, except railroad land grants and such indemnity lands as the several States may be entitled to in lieu of lands granted them for educational and other purposes which may have been sold or included in some reservation or otherwise disposed of, and other surveys shall be confined to lands adapted to agriculture and lines of reservations, except forest reservations, and lands within boundaries of forest reservations, except that the Commissioner of the General Land Office may allow, for the survey and resurvey of lands heavily timbered, mountainous, or covered with dense undergrowth, rates not exceeding \$13 per linear mile for standard and meander lines, \$11 for township, and \$7 for section lines, and in cases of exceptional difficulties in the surveys, where the work cannot be contracted for at these rates, compensation for surveys and resurveys may be allowed by the said Commissioner, with the approval of the Secretary of the Interior, at rates not exceeding \$18 per linear mile for standard and meander lines, \$15 for township, and \$12 for section lines: *Provided further*, That in the States of California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming, the Territories of Arizona and New Mexico, and the district of Alaska, there may be allowed, in the discretion of the Secretary of the Interior, for the survey and resurvey of lands heavily timbered, mountainous, or covered with dense undergrowth, rates not exceeding \$25 per linear mile for standard and meander lines, \$23 for township, and \$20 for section lines, the provisions of section 2411, Revised Statutes of the United States, authorizing allowance for surveys in California and Oregon are hereby extended to all of the above-named States and Territories and district.

And of the sum hereby appropriated there may be expended such an amount as the Commissioner of the General Land Office may deem necessary for examination of public surveys in the several surveying districts, by such competent surveyors as the Secretary of the Interior may select, or by such competent surveyors as he may authorize the surveyor-general to select, at such compensation not exceeding \$6 per day, and such per diem allowance in lieu of subsistence not exceeding \$5, while engaged in field examinations, as he may prescribe, said per diem allowance to be also made to such clerks who are competent surveyors who may be detailed to make field examinations, in order to test the accuracy of the work in the field, and to prevent payment for fraudulent and imperfect surveys returned by deputy surveyors, and for examinations of surveys heretofore made and reported to be defective or fraudulent, and inspecting mineral deposits, coal fields, and timber districts, and for making by such competent surveyors fragmentary surveys and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States.

Mr. MONDELL. I offer the amendment which I ask the Clerk to read.

The Clerk read as follows:

After the word "reservations," in line 3, on page 79, strike out the words "except forest reservations, and lands within boundaries of forest reservations."

Mr. MONDELL. Mr. Chairman, the object of my amendment, in connection with another which I shall offer later, is to make it clear that all surveys of lands within forest reserves shall be made under the direction of the Commissioner of the General Land Office. In my opinion this return to former practice will be in the interest of the public service. For a great many years—from the foundation of the Government—the General Land Office has had to do with the survey of the public lands. The Commissioner of the General Land Office, under the law, is the custodian of all public-land survey records and all the plats of survey. I believe such work should continue under the Commissioner of the Gen-

eral Land Office; that all public-land surveys should be carried out under his supervision. I believe that the work will certainly be as well done as elsewhere, and, in my opinion, we shall have greater uniformity. There will be less difficulty in obtaining surveys of lands within forest reserves if these surveys are executed through the same channel and by the same means through and by which other public-land surveys are had.

Forest reservations are made from time to time, taking in large areas of public land, partly surveyed and partly unsurveyed. Wherever it shall be determined that land surveys should be extended over the lands within forest reservations, the same officers, the same force, the same means should be employed to survey these lands that are employed in the survey of lands without the boundaries of forest reservations.

I have had some personal experience with regard to these matters. I have had a considerable amount of difficulty, as have other members from the West, in getting necessary surveys within forest reservations for the purpose of determining the location of the homes of settlers. There has been some question as to just what bureau should undertake these surveys. In order that there may be no question, all public-land surveys should be executed by the same authority and through the same channel. Public surveys are well executed under the direction of the General Land Office, and lands within forest reservations that may require survey should be no exception to the general rule of survey by the General Land Office.

Mr. CANNON. Mr. Chairman, this amendment, as I understand, proposes to make this appropriation available for surveys of public lands in the forest reservations by striking out the exception.

Mr. MONDELL. It makes the appropriation available within the reservations as well as without.

Mr. CANNON. As I understand, there is no appropriation whatever for the surveys of the public lands in the forest reservations.

Mr. MONDELL. Will the gentleman allow me a moment?

Mr. CANNON. Certainly; I want the facts.

Mr. MONDELL. Later in the bill there is an appropriation of \$130,000 for the survey of lands within forest reservations, under the direction of the Geological Survey. It will be found on page 85, in the second paragraph, and the Commissioner of the Land Office also has authority to make such surveys. I think such authority should rest only with the Commissioner of the General Land Office.

Mr. CANNON. Yes; but that in practice, as I understand, is only used in surveying boundaries.

Mr. MONDELL. Well, I will say to the gentleman if that is the practice, and I do not know absolutely that it is not, that may account for the fact that I and other members representing Western communities have found it practically impossible to get any surveys of lands within forest reservations, even in those cases where settlers lived upon the land prior to their being included in the forest reservations, and who are anxious to have their lands surveyed in order that they may make proof upon them and obtain a title.

Mr. CANNON. I think the policy has been, so far as the appropriation is concerned, not to appropriate anything for surveys in forest reservations, because they are not subject to homestead, and ought not to be, I submit, and therefore why survey them?

Mr. MONDELL. I will say, Mr. Chairman, that I can not quite agree with the gentleman from Illinois on that proposition, because the language of the paragraph on page 85 clearly gives the Geological Survey authority to make surveys of lands within forest reservations—that is, of lands included in forest reserves. It does not, as a matter of fact, specifically provide for the survey of the boundaries of forest reserves. It was evidently intended largely for this very purpose, and I wish to explain again, if I have not made myself clear, this condition of affairs, that in practically every forest reserve which has been established, some territory is included occupied at the time the reserve is set up by settlers who settled in advance of the public survey. They are entitled to have their land surveyed.

I have personally made a number of requests quite recently, and within the last year and a half, for surveys of this character, with regard to the propriety of which there can be no question, both from the standpoint of the interests of the Government and of the interests of the settlers; because it is to the interest of the Government that it shall be determined promptly who, if any, of the settlers on a reserve are as a matter of fact bona fide settlers and who are trespassers, and it is to the interest of the settler in those cases that he shall be able to make final entry on his land and obtain title. Perhaps I am intrenching on the gentleman's time?

Mr. CANNON. Oh, no; the gentleman has practical knowledge which I have not. I want to get at the facts, and I am listening to the gentleman.

Mr. MONDELL. My contention is that these surveys can be economically and more uniformly carried on and extended if they are all confined to one office in the Interior Department. I have no criticism to make of the surveys which the Geological Survey has executed under this provision, or of any of their work. They are doing a great work, but their work is generally along other lines. It is along the line of scientific and practical investigation—topographic, geologic, and hydrographic surveys—and it is not along the line of the ordinary public-land survey. The public-land office issues the manual under which the public-land surveys must be executed, whether they be executed by officers under the direction of the Geological Survey or executed by direction of the General Land Office.

Mr. LACEY. Mr. Chairman, does not the gentleman from Wyoming [Mr. MONDELL] misconstrue the lines that he seeks to strike out? The bill provides as follows:

And other surveys shall be confined to lands adapted to agriculture and lines of reservations, except forest reservations and lands within boundaries of forest reservations.

In other words, the other surveys shall be limited to agricultural lands and the boundaries of reservations, except forest reservations, which would be permitted, but this would permit surveys inside. In other words, the exception, instead of excluding the survey from the reservation, excludes forest reservations from the limitation just about provided for.

Mr. PAYNE. I think the gentleman from Iowa is right.

Mr. MONDELL. I do not so understand it. Later I propose to offer an amendment increasing the item for surveys under the Commissioner of the General Land Office and clearly limiting land surveys to that office. Now, if this language is perfectly clear, and I think there is some doubt on that score, why, of course, I do not want to strike it out, but I do not wish to have language in the bill which prevents surveys in forest reserves by the General Land Office.

Mr. LACEY. The suggestion was as to whether this exception must not be left in order to accomplish the purpose the gentleman had in view.

Mr. CANNON. It seems to me that possibly that is so, but I want to ask the gentleman this question. He and I will both agree that in the absence of settlers prior to the creation of forest reservations there is no necessity for a survey. Now, if there is a settler here and there under the law, is there not such a thing as a deposit survey?

Mr. MONDELL. I think the deposit-survey system would scarcely apply in these cases. I think it is not generally practicable to carry out these surveys under the deposit system. The deposit system I think is a rather questionable one anyway in some regards, but I want to say that some surveys have been executed both by the Geological Survey and by the General Land Office.

Mr. CANNON. Does the gentleman apprehend that there is any danger, if there is no limitation, of the General Land Office or the Geological Survey surveying these lands except merely to ascertain the location of settlers?

Mr. MONDELL. No; but I will say to the gentleman that that sort of survey is required to a greater or less extent every year as further forest reservations are established and as demands increase from settlers in reserves established some time ago.

Mr. CANNON. I will make this proposition to the gentleman. The gentleman lives in that part of the country and knows about these matters, and the gentleman from Iowa [Mr. LACEY], chairman of the Public Lands Committee, is quite an expert. What does the gentleman say to passing this provision with leave to turn back?

Mr. MONDELL. That would be perfectly satisfactory to me.

Mr. MARTIN. Mr. Chairman, the subject under discussion is a very important one, and one of which I have some practical knowledge. To illustrate, the Black Hills Forest Reservation is about 1,000,000 acres. It is true, as the gentleman from Illinois says, that settlement is not allowed on forest reservations, but this applies only, of course, after the public proclamation making the reservation, and it is uniform in the establishment of these reservations to provide that settlers already upon the reservation may be permitted to complete their entries and obtain their titles. Now, on the particular reservation to which I refer, which is perhaps one of the most populous reservations in the country, there are some 400 settlers who were there before the reservation. A part of this land is already subdivided by local surveys. Now, for some two years an effort has been made to subdivide the remaining townships into sections, in order that these settlers might have an opportunity to enter their lands.

I am entirely in sympathy with the object the gentleman from Wyoming desires to accomplish, and think all the public lands should be surveyed as early and speedily as practicable. I think they ought all to be subdivided, as well the mineral as the agricultural lands, and facilitate the giving of title to them; but I

think the gentleman from Wyoming is laboring under a misapprehension as to the effect of the amendment he offered. The provision which he moves to strike out by his amendment, as suggested by the gentleman from Iowa [Mr. LACEY], follows the clause "other surveys shall be confined to lands adapted to agriculture and lines of reservations," and reads "except forest reservations, and lands within the boundaries of forest reservations."

The bill as reported by the committee would permit the Commissioner of the General Land Office to survey these various forest reservations into the usual subdivisions without regard to whether the lands are agricultural in character or not. If we strike out that provision, I think we defeat the purpose the gentleman from Wyoming is seeking to accomplish. I think, therefore, the suggestion of the gentleman from Illinois, that the matter should be passed with leave to return to it if it be found necessary, would be the better course to take.

The CHAIRMAN. Does the gentleman from Wyoming withdraw his amendment?

Mr. MONDELL. I ask that the matter be passed for the present.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that this part of the bill may be passed for the present without prejudice. Is there objection? [After a pause.] The Chair hears none.

Mr. JONES of Washington. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 78, in lines 12 and 13, strike out the words "three hundred and twenty-five thousand" and insert in lieu thereof the words "four hundred and fifty thousand."

The CHAIRMAN. The question is on the amendment of the gentleman from Washington.

Mr. CANNON. Just one word.

Mr. JONES of Washington. I want to say a few words about the amendment.

Mr. CANNON. I wish the gentleman would explain his views about it. Would the gentleman come down about the center, so that we can hear him?

Mr. JONES of Washington. I think probably there will be no trouble about hearing.

Mr. Chairman, the purpose of this amendment is to make provision for a larger amount that can be available for surveys in Alaska. The practice of the Department about this money appropriated for surveys, and it is a necessary practice, is to apportion the amount of money appropriated by the bill to the different public-land States for surveys. The demand for surveys is very great throughout the Western country, and for the apportionment of this money I believe the amount heretofore and regularly appropriated by the bill is \$325,000. The Department makes an apportionment to each State, large or small. Last year the amount apportioned to the different States was, to Alaska \$5,000, to Arizona \$12,000, to California \$13,000, to Colorado \$6,000, Idaho \$32,000, and so on among the different States, and the largest apportionment to any one State was Montana, \$42,000. Now, if the amount appropriated is continued at \$325,000, we have no reason to expect that there will be any larger sum appropriated for Alaska than last year, to wit, \$5,000. In fact, the States having unsurveyed lands would object to any larger apportionment to Alaska than this.

Immigration to the Western country and settlement there make the demand for these surveys very great, so that the apportionment already made to the States is none too large. Consequently, if the amount of the appropriation is not increased, we can not ask that any greater sum than \$5,000 be allowed for surveys in Alaska. Now, the condition of things up there is such that there is no encouragement for settlement or the taking up of lands in that Territory without surveys. We have the public-land laws extended to Alaska, we have the coal laws extended there, the homestead laws, and all the different public-land laws that are applicable to that Territory, and yet they amount to nothing because of the lack of surveys. The Commissioner of the Land Office, in his report, makes this statement with reference to Alaska:

The district of Alaska has been under control of Congress for thirty-four years. Extensive explorations have been made, vast sources of wealth developed, numerous permanent settlements made, embracing gold mines, fisheries, farms, lumber works, coal mines, schools, and mission stations, yet not a line of rectangular or systematic Government survey has yet been established.

We have extended by public statute the public surveys of the United States, and yet there has not been a single line of survey made under those laws, according to the Commissioner of the Land Office. That particular duty which the General Government owes to its frontiers is greatly in arrears. A large appropriation is past due and should be provided at the earliest practicable date.

Now, the Secretary of the Interior, in his estimate to Congress,

sent in an estimate of \$325,000 for general surveys. He made no increased estimate for this year, but in a letter sent to the chairman of the Committee on Appropriations, under date of February 4, 1903, he sends in a further estimate and recommends that the amount to be provided for general surveys be increased to \$400,000 for the purpose of making a provision of \$75,000 for extending these surveys to Alaska, and this is what he says in this letter:

For the fiscal years ending June 30, 1901, 1902, and 1903, the sum of \$5,000 was apportioned to Alaska from the general appropriation for each of said years.

So it appears from his report that during the last three years the amount of \$5,000 is all that has been apportioned to Alaska. It appears that in the judgment of the Secretary of the Interior this is all he can apportion to Alaska with justice to other sections of the country, unless there is an increase made in the amount of the appropriation.

Under the apportionment of \$5,000 for the year 1901 a contract was let by the surveyor-general for nearly the full amount (\$4,950) of the apportionment. This contract was dated June 21, 1901, and action thereon was not taken until after the close of the fiscal year; hence said contract was necessarily charged to the fiscal year 1902 (having been approved during said year), and the apportionment for 1901 lapsed accordingly, not being available for contracting after the close of the year for which the appropriation was made.

No contracts have as yet been received from the surveyor-general under the apportionment of \$5,000 made to Alaska for the fiscal year ending June 30, 1903.

It appears from the record that the deputy surveyor to whom said contract chargeable to the appropriation for the fiscal year 1902 was let made no returns of survey thereunder, and the contract has been canceled.

The time of Mr. JONES of Washington having expired, by unanimous consent, at the request of Mr. CANNON, it was extended five minutes.

Mr. LACEY. I should like to ask the gentleman whether he thinks that by simply increasing the aggregate amount it would accomplish the purpose as long as the limitations as to so much per mile remain in the law; whether any of this money could be expended in Alaska unless you also make a further amendment authorizing a larger expenditure on account of the increased cost of making surveys in that distant region.

Mr. JONES of Washington. I do not think so, and I have an amendment covering that.

Mr. LACEY. You will remember that one of the surveys that was provided for failed, because when the surveyor went to carry out his contract he found that the carrying of the stakes to the scene of the survey cost more, in the wages of the packers, than the entire amount of his contract, and he had to abandon it.

Mr. JONES of Washington. That is true.

Mr. LACEY. So that there should be an increase in the limit of price in Alaska.

Mr. JONES of Washington. I have an amendment suggested by the department covering that.

Mr. MONDELL. Was not that increased cost due to the fact that a particular sort of stake, an iron stake, was required?

Mr. LACEY. Regardless of that, surveying is very expensive there.

Mr. JONES of Washington. There are other things that enter into it, which I expect to explain on the other amendment.

I am of the opinion that a liberal appropriation should be made for surveys in Alaska, in order that the standard, township, and subdivisional surveys may be extended in different localities, so as to embrace lands desired to be entered under the homestead law, as authorized by the act of May 14, 1898, (30 Stat. L., 409), and to enable the survey of mission and other reservations.

He also recommends that the additional sum of \$50,000 be appropriated for the purpose of surveying missions and school sites and matters of that kind taken up under existing law. All that this amendment contemplates, and all that we ask for, is that we should secure an additional amount of \$75,000 for all these various purposes, and these estimates that the Secretary makes in his letter are estimates which cover all the various objects. As a matter of fact, the requirement of the service there for missions alone is estimated by the Commissioner of the Land Office as amounting to \$50,000.

Now, then, it is said—I have heard it said on this floor—that there is no place in the United States, no place in the country, where a man can get a larger homestead than he can in Alaska at the present time. The idea seems to be that a man can go there and locate upon land, take just as much as he can inclose, because there is no other settler there, nobody to take it away from him. But the man who takes up land there under that condition of affairs does it just as he does in this country. He must notify the Secretary, and he must maintain his possession upon that land. If he leaves the land for any length of time he is liable to find some one in possession of his improvements and in possession of his land when he comes back. All the reports tend to show that considerable territory in Alaska is capable of very considerable agricultural development; that there can be a steady stream of immigration encouraged to go to that country.

It is not contemplated that we should survey all the country, but there certainly should be some of it surveyed. None has

been surveyed as yet, and it seems to me that we are very conservative in asking the simple sum of \$75,000 to make surveys in parts of the country where agriculture can be developed, where mining can be developed, so that the people who invest their money and their time and their means in taking up coal mines can have some assurance that they can get a title.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. CANNON. I hope the gentleman's time will be extended five minutes.

The CHAIRMAN. The gentleman from Illinois asks that the time of the gentleman from Washington be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. JONES of Washington. I want to call the attention of the members of this House to the difficulties even of securing surveys in this country. I received a letter the other day from a constituent of mine where the survey has been pending for fourteen years in the State of Washington. I have received many letters referring to different surveys where they have been pending in this country for five, seven, ten, twelve, and even fifteen years. What is the difficulty? The difficulty is that even when the appropriation that is provided in this bill is apportioned almost entirely to this country it is not a sufficient amount to carry on and complete in a reasonable time the surveys required even for this country, so that we may expect far greater difficulties in Alaska. We may expect far greater time required in Alaska for completing these surveys. We find that the expense is far greater, and as I said a moment ago, an amendment will be offered increasing the limit of cost for surveys in Alaska. This is absolutely necessary, and the question is simply presented to this committee whether or not you will say by your actions here that the public land laws of this country have been and shall continue to be extended to Alaska, but we will not provide any means or any way by which they are made effective.

I believe it is the desire of this committee, I believe it is the desire of the chairman of this committee, to bring about means by which the people who may go to Alaska and into that country may secure title to their lands, and the only way that they can be secured is by providing the means whereby the surveys can be made. I trust the chairman of this committee will allow this amendment to be agreed to.

Mr. CANNON. Mr. Chairman, I am inclined to think, possibly, that the increase of \$75,000 of this appropriation means more of an increase to the balance of the country than it does to Alaska. I have no objection if the balance of the country needs it, nor have I any objection to the money being devoted to the surveys in Alaska if that is needed. Yet, if I understand aright, there never has been a township surveyed in Alaska. Money has been apportioned, but the season is so short and the price for surveying so low that as a result not a single line has been run. Am I correct?

Mr. JONES of Washington. That is correct.

Mr. CANNON. There is no desire, I am quite sure, on the part of the House to in any way hamper this Territory of ours. Three or four years ago we created some land offices up there and appointed some registers and receivers. They got up there in the fullness of time and have got away. Some are on the Yukon and have not got back yet. I think it took the combined efforts of the Committees on Appropriations and Public Lands to get rid of the personnel of these land offices, and there is possibly a little old iron safe up there now with a lot of blank books; there was never any money or papers put in the safe and the books never had a scratch in them. I recollect a year or two ago that we were absolutely called upon, in justice and equity, to take from the Treasury money to pay the salaries of these land officers because they did not know for the best part of a year that they had been turned out of office.

Mr. LACEY. They said they did not know; but anyhow that was the condition.

Mr. JONES of Washington. Will the gentleman allow me a suggestion?

Mr. CANNON. Certainly.

Mr. JONES of Washington. There was no business for the land offices, because nobody could take up land for the very reason I have mentioned.

Mr. CANNON. There was nobody to take up the land, on the one hand—

Mr. JONES of Washington. I do not agree with the gentleman.

Mr. CANNON. And they did not want them, on the other. It was a little bit, I think, like the stream out in Kansas, where a man who had bought a mill said on examination that there was no dam on the mill site and no mill by a dam site. Is that right? [Laughter.]

Mr. CUSHMAN. That is correct.

Mr. STEPHENS of Texas. In the southwest corner of New Mexico there is a considerable amount of unsurveyed public land now in demand for actual settlement; besides, there is a mining district in there, and it is impossible for the miners to properly locate their mines without these surveys, so that the lack of surveys is keeping back the development and settlement of that portion of the Territory. It seems to me the proper policy is by promptly surveying all our public lands, to throw them open at the earliest possible moment for settlement.

Mr. CANNON. Well, "all" is a good deal. I think that as fast as our public lands are really needed for settlement they ought to be surveyed.

Now, there has been much exploration in Alaska. Why, sir, we have now, and have had for years, three or four parties out there spying out the land, making surveys, topographical, geological, etc.

Now, I do not suppose that much of this \$75,000 will be spent in Alaska. Whatever is necessary to be spent in ascertaining the lines and surveying the land ought to be granted, and the surveys ought to be made. But care ought to be taken that we do not found an industry in Alaska—the surveying industry. I do not know that there is much danger of that; but the suggestion is worth something, because we did found a land-office industry up there.

I will ask the chairman of the Committee on Public Lands [Mr. LACEY] whether, in his opinion, this amount of \$75,000 ought to be appropriated, and also whether, in his opinion, it is practicable to change the law on this subject; because the money might just as well not be appropriated unless we go ahead and change the law so as to safely expend it.

Mr. LACEY. Mr. Chairman, the Committees on the Public Lands in both the Senate and the House have been wrestling with this question as to surveys in Alaska, and have agreed to a proposition in general terms, not yet fully laid before both Houses, although it has passed the Senate and has come over to the House to-day, providing for special surveys, not the ordinary surveys, but special surveys, covering the localities in which homesteads may be located. And really the money should be expended in such localities, rather than in general surveys. Ultimately some amendment ought to be put upon this bill so that this appropriation, of whatever amount it may be, shall be available for carrying out this new plan of survey when it shall be authorized by law, as no doubt it will be, because such seemed to be the mind of this House when we had the matter before it the other day.

Mr. CANNON. The gentleman says, I understand, that the act he speaks of has not yet passed. It has gone to conference, I believe.

Mr. LACEY. The intention was to have it go to conference, probably to-day or to-morrow. This matter as to the use of this money ought to contemplate to some extent surveys of that character, because they will be the most necessary.

In reply to the gentleman from Illinois, I will say further that there ought to be a larger appropriation. If it is not needed it will not be used. This will not be like the case of the land offices in Alaska, which had to be occupied by officials, and the expense incurred, although there was no business for them to do. The Department will only make surveys which may seem necessary.

[Here the hammer fell.]

Mr. CANNON. Mr. Chairman, I ask an extension of time for five minutes.

* There was no objection.

Mr. CANNON. Would not the gentleman from Iowa [Mr. LACEY] think it wise that this appropriation be made as it is and that then, when the House and Senate shall legislate, apt provision be included increasing the price for surveys and special surveys, and let such legislation cover the necessary appropriation?

Mr. LACEY. I think that the \$400,000 asked for by the Department is not excessive, to begin with. As to the disposition of that part to be expended in Alaska, there ought, in my judgment, to be additional legislation, because if there should not be, I do not believe much use will be made of any allotment to be set apart to that district. I think that is about the situation.

Mr. CANNON. The gentleman, then, is of opinion that this amendment ought to be adopted, and that otherwise there should be no change in the law?

Mr. LACEY. Not at all. When the other bill comes in, the gentleman can make, possibly in conference between himself and the Senate conferees, an arrangement that will cover this modified form of survey which we are trying to arrange for the district of Alaska.

Mr. JONES of Washington. That only covers homesteads.

Mr. LACEY. It will cover also the coal lands.

Mr. JONES of Washington. That is, if we get such a law; but we may not.

Mr. LACEY. Well, if not, the surveys will not be needed.

Mr. JONES of Washington. There is no provision for a survey

of these missions, which is urged here very strongly by the Commissioner of the Land Office, who sets out the necessity for the measure very forcibly, in addition to this other sum of \$50,000. But if the gentleman thinks that can be covered in conference—

Mr. LACEY. I think the additional amount ought to be granted; but I have no idea that it will do any good after it is granted, unless there be some additional legislation, so as to enable the Land Department to use it. Contracts can not be made at the prices fixed by existing law. It takes a good deal of money to hire anything done in Alaska.

Mr. LIVINGSTON. I make this suggestion: Let the bill stand as it is, and when the legislation which has been spoken of has been perfected we can make an appropriation in the deficiency bill of \$75,000, or more if necessary, to carry out that legislation.

Mr. JONES of Washington. We need it without that legislation.

Mr. LACEY. This amendment is prepared by the Land Office.

Mr. LIVINGSTON. That will perfect the legislation you refer to, and then the appropriation can come in the deficiency bill instead of this.

Mr. JONES of Washington. I do not think that would cover it.

Mr. LIVINGSTON. Why would it not?

Mr. MONDELL. It seems to me that this legislation should be considered entirely independent of the legislation which has been referred to by the chairman of the Committee on the Public Lands. This amount of money is needed for the ordinary and usual extension of the public-lands survey.

Mr. LIVINGSTON. Do I understand that you want \$75,000 additional after you make the other arrangement?

Mr. MONDELL. The legislation in question is simply legislation which will allow and authorize and empower settlers upon public lands, agricultural in character, to make surveys or have surveys made at their own expense, as we now provide in the case of mineral lands. The necessity for that legislation will remain in a lessened degree, it is true, after this appropriation is made, but the necessity will surely remain when you think of the enormous extent of that great Territory and recall that the appropriation of \$75,000 can provide but for the survey of a few tracts here and there.

Mr. LIVINGSTON. But I understand this to be the truth—

Mr. MONDELL. So that that legislation, in my opinion, does not conflict with this in any way, it does not relate to it in any way, and should not be considered in connection with this legislation. This is for the general extension of the survey. The other is a provision which gives the settler on agricultural lands in Alaska the poor privilege of paying for his own survey.

Mr. LIVINGSTON. The gentleman from Washington has asked for \$75,000 additional for a specific purpose.

Mr. JONES of Washington. Yes.

Mr. LIVINGSTON. And the contention is, can you use that without further legislation? No; you can not.

Mr. MONDELL. Personally I am of the opinion that you can make use of it without a line of legislation; that the highest rates allowed in the bill for general surveys of Alaska will pay for the surveys there, if the Department does not insist, as I understand the Department did insist, in former survey contracts, upon certain unusual provisions with regard to the marking of the survey; but if it be thought that the maximum rate for surveys is not great enough it is easy enough to increase the maximum rate by one, two, three, or five dollars a mile, as may be deemed best. That is a very simple matter, but in my opinion the maximum rate is high enough now.

Mr. LIVINGSTON. That could not apply here in the ordinary surveys inside the States. It must apply to Alaska. Therefore it is dependent on this legislation spoken of as coming in the future.

Mr. MONDELL. It does not seem to me that it is related to it or dependent on it, because that legislation does not have anything to do with public-land surveys, but gives an entryman in Alaska opportunity to pay for his own survey and have his survey accepted in case he is not willing to wait until the public-land surveys are extended. It does not relate to the public-land surveys.

Mr. CANNON. Mr. Chairman, we have reported upon this bill every dollar that was estimated for by the Secretary of the Interior—\$325,000. That is for surveys throughout the whole country. Now they come and move that amendment for \$75,000 on account of Alaska. Hence I say that I do not want to oppose the appropriation. I would oppose any change of the law in respect to the rate here, and the gentleman from Iowa [Mr. LACEY] says if you do not change the law you need not appropriate the money. Now, if the gentleman from Iowa feels sure enough that he is going to change the law—that we can get at it—why, perhaps we would as well let the appropriation go and the amendment be adopted.

Mr. LACEY. I would state unless it can be successfully used

it will simply be covered back. There was an appropriation also to Alaska last year, and it was not used because under the limit they could not use it.

Mr. CANNON. I suggest to my friend to withdraw his amendment and change it so that it will read for Alaska.

Mr. LIVINGSTON. That will do.

Mr. JONES of Washington. What is the suggestion?

Mr. CANNON. Change it so as to provide that \$75,000 of it be used in Alaska.

Mr. JONES of Washington. I have an amendment covering that point.

Mr. CANNON. Let the gentleman's amendment be adopted. Perhaps that is the safer way.

Mr. LIVINGSTON. Very well; let us have a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The amendment was agreed to.

Mr. JONES of Washington. I offer another amendment.

The CHAIRMAN. The gentleman from Washington offers the following amendment, which the Clerk will report:

The Clerk read as follows:

Also, on page 80, amend by inserting after the words "United States," in line 24, the following:

"And provided further, That \$75,000 of said sum, or so much thereof as the demand for surveys may warrant, be applied to the survey of public lands, mission, and other reservations in Alaska, such amount to continue available for contracting until the entire sum shall have been contracted."

Mr. CANNON. I must make the point of order against that.

Mr. JONES of Washington. Against the latter part?

Mr. CANNON. Well, it makes an indefinite appropriation and a continuing appropriation.

Mr. JONES of Washington. I ask the gentleman to reserve the point of order.

Mr. CANNON. Certainly.

Mr. JONES of Washington. I want to explain why I put the last provision in there. I am not so particular about that myself, but it is suggested by the Secretary of the Interior in his report; and on account of the distance to Alaska, and by reason of the fact that mail communication is the only means of communication that the Department has, that we have no telegraph or telephone lines or anything of that sort, he said we ought to provide that this amount shall be available until the contracts have been made; because a contract may be advertised for, bids may be received, they may be forwarded here to the Land Office at Washington, which takes two or three months, and by the time the Department here gets around to let the contract the year expires and the appropriation then is not available, and that is the reason he suggests this provision, that the amount shall continue available until contracted for. Now, I would suggest to the gentleman in charge of the bill that if a report comes in showing that the whole amount of this money has not been contracted for, then the appropriation in the subsequent bill need not be so large. I can really see no objection to it.

Mr. LIVINGSTON. Under the amendment as you have drawn it, if none of this amount could be used in Alaska it could all be used in other sections of the country.

Mr. JONES of Washington. Yes; that is true.

Mr. LIVINGSTON. Confine it to Alaska. Do not make it a continuing appropriation, and perhaps then there would be no objection to it.

Mr. JONES of Washington. You suggest confining it to Alaska?

Mr. LIVINGSTON. Yes. If it is not used, there will be another Congress next winter, and you can get another appropriation.

Mr. CANNON. I will say to my colleague that on second thought I am afraid to go to segregating. The gentleman from Texas [Mr. STEPHENS] may want to segregate for New Mexico. Other gentlemen may want to segregate and divide up this amount, whereas it has always been left heretofore to the Secretary of the Interior.

Mr. JONES of Washington. I was going to suggest that of course the Secretary of the Interior can apportion the \$75,000 to Alaska, and I think that is all right.

Mr. CANNON. I think we had not better enter upon the practice of segregating.

Mr. LIVINGSTON. I want to suggest to my colleague, the chairman of the committee, that you will be compelled to segregate in this instance, because the rate paid for surveying must be different.

Mr. CANNON. Oh, we are not going to change the rate.

Mr. LIVINGSTON. If you are going to have any work done in Alaska that will have to be done.

Mr. CANNON. That depends on legislation yet to come.

Mr. JONES of Washington. I think that at these missions and other places they can utilize the appropriation under the present limit.

Mr. CANNON. I would oppose any change as to rate.

Mr. JONES of Washington. If the gentleman insists on his point of order, the other thing amounts to nothing, because the Secretary of the Interior can apportion the money to Alaska anyway.

Mr. STEPHENS of Texas. The present rate will be sufficient to do the work in New Mexico, because that is very near home, and the work is very necessary to the development of that country.

Mr. JONES of Washington. I withdraw the amendment. I think it is subject to the point of order.

The CHAIRMAN. The gentleman from Washington withdraws the amendment.

Mr. JONES of Washington. I desire to offer another amendment.

The Clerk read as follows:

On page 79 amend by striking out, in line 19, the words "and the district of Alaska," and by inserting after the word "lines," in line 25, "and in the district of Alaska there may be allowed by the Commissioner of the General Land Office for surveys and resurveys rates not exceeding \$18 per linear mile for standard and meander lines, \$14 for township, and \$10 for section lines; and for the survey and resurvey of lands heavily timbered, mountainous, or covered with dense undergrowth there may be allowed by the said Commissioner rates not exceeding \$35 per linear mile for standard and meander lines, \$33 for township, and \$30 for section lines."

Mr. CANNON. I must make the point of order on that. It is legislation.

Mr. JONES of Washington. If the gentleman will reserve it—

Mr. CANNON. Yes; I will. I do it not in a spirit of unfriendliness to the service at all, but I think the Committee on the Public Lands ought to exercise the jurisdiction and fix the limit.

Mr. JONES of Washington. The amendment is undoubtedly subject to the point of order, but I desire to call the attention of the members of the committee to the reasons submitted by the surveyor-general of Alaska, as to the necessity for an increased allowance for surveys in that Territory.

He says:

First. This Territory is remote from a base of supplies, and the cost of provisions is therefore considerably higher, even on the seacoast, than in the other surveying districts.

Second. As most of the lands to be surveyed are more or less remote from the coast, and as there have been no roads opened up in this country, all supplies for parties operating in the field will have to be transported to them by means of pack animals or by men employed for that purpose, and in either case the cost will be very heavy.

Third. The cost of labor is much higher than in the other surveying districts. The mining companies and other enterprises pay good wages to their employees, and laborers will not engage for this line of work for a less wage than can be obtained in other lines of service; and the expense of transporting assistants from Seattle or other points remote from the district would be so heavy as not to relieve the situation to any considerable extent.

Fourth. The climate of the coast region of this district is an obstacle to progress in making surveys in those localities. The humidity along the coast of Alaska is excessive. Cloudiness is the rule and not the exception during the greater portion of the summer months. There are many consecutive days when it is impossible to make either the solar or stellar observations required by the Manual of Surveying Instructions. This is a serious hindrance and is taken into account by surveyors when considering proposals to execute surveys where these conditions prevail.

Another detriment to obtaining bids at present rates is the shortness of the season in which surveying can be done. This is especially true of the interior regions. The summers in those localities are short and warm, pushing vegetation to maturity rapidly; but it soon passes away and is succeeded by very cold weather, during which it is impracticable to prosecute work in the field, and therefore in contracts of any considerable magnitude it would require two seasons to fulfill them, which would add heavily to the expense.

Furthermore, it is the purpose of this office to prohibit the use of wooden posts or other perishable material for marking the corners of surveys, and in some instances, because of inability to procure stones of the required size, it may be necessary to use iron pipes, which would add somewhat to the cost.

Experience has also shown the futility of endeavoring to obtain execution of surveys in Alaska by experienced deputies for the prices now allowed by law. In the spring of 1901 invitations for proposals to make a survey of base and meridian lines in the Copper River country were advertised and also mailed to quite a number of deputies in Alaska, but all except two declined to make a bid, assigning as reasons in most cases that the rates were too low and the risks too great. The two who submitted bids were, comparatively speaking, unacquainted with the difficulties likely to be encountered in carrying out the contract; and it may not be amiss to say that the one to whom the contract was awarded has not attempted to perform the work he contracted to do and manifests but little disposition to do so.

Taking all of the foregoing facts into consideration, I am constrained to believe it will cost at least 100 per cent more to execute a surveying contract in Alaska than in the other surveying districts, and I therefore respectfully recommend that rates for making public land surveys in Alaska be increased 100 per cent at least, or what I deem would be more advantageous to the Government, make provision for executing them at a per diem rate.

The CHAIRMAN. The point of order is sustained.

Mr. MONDELL. Mr. Chairman, I wish to return to the amendment offered by me a few moments ago, to line 3 on page 79, and to withdraw the amendment then offered, and offer in lieu thereof the following amendment:

After the word "except," in line 3, page 79, insert the words "in the case of."

The CHAIRMAN. The amendment offered a moment ago by the gentleman from Wyoming was withdrawn at that time. The Clerk will report the amendment of the gentleman.

The Clerk read as follows:

On page 79, line 3, after the word "except," insert the words "in the case of."

Mr. MONDELL. It has been suggested, Mr. Chairman, that the language which my amendment would have stricken out does provide for surveys within forest reservations. If that be true, I wish to make that language clearer, and I think the amendment now offered will have that effect.

Mr. CANNON. What does the chairman of the Committee on the Public Lands say about it?

Mr. LACEY. Mr. Chairman, the amount of surveys inside of these forest reservations will necessarily be small. A very large portion of the land held by private owners inside of the reservations has already been exchanged for land outside, and that land of course would not need to be surveyed. On the other hand, there are many homesteaders who have located on lands within the reservations prior to the setting apart of the reserves and have made farms there, and are entitled to have their boundaries established as they propose to remain within the reservation.

Their entry was legal; they do not wish to exchange their lands, and they have a right to remain. While they have the right to exchange, it is not compulsory on them, and there ought to be no objection to making these surveys of these comparatively few tracts. In many localities there is a very great deal of private land that is within these reservations. For instance, the town of Deadwood, I am told, is within a forest reservation, and many locations that have not been surveyed, and where these surveys are necessary, the limitation ought not to be there, because it is easy enough for the Department to prevent a misapplication of any of this money and to limit the surveys, so far as may be necessary.

Mr. MONDELL. The purpose of the language now offered is simply to make the intent of the bill, as interpreted by the gentleman from Iowa, clear. That is, that the Land Office shall have authority to survey lands within forest reservations.

Mr. LACEY. There will be a comparatively small amount, I think, that will have to be surveyed.

Mr. CANNON. Does the gentleman approve the provision?

Mr. MONDELL. I am giving no new authority but that which they now have, and I want to make the language clear.

Mr. LACEY. I think such surveys ought to be permitted, not ordered by law.

Mr. MONDELL. I am not changing any provision of the law.

Mr. CANNON. Vote!

The question was taken; and the amendment was agreed to.

Mr. MONDELL. Mr. Chairman, I now move to amend—I do not know just what the lines are—the sum now carried by the bill for public land surveys. I wish to increase the amount appropriated for surveys from \$400,000 to \$530,000.

Mr. CANNON. It has already been increased from \$325,000 to \$400,000.

Mr. MONDELL. My amendment is to increase it by \$130,000 additional. The amendment as already adopted increases the amount to \$400,000. I move to amend by striking out \$400,000 and inserting in lieu thereof \$530,000.

The CHAIRMAN. The committee has already agreed to that portion of the bill.

Mr. CANNON. We have passed it, and it has already been amended.

Mr. MONDELL. I do not understand we have passed the paragraph.

Mr. CANNON. I do not want to cut the gentleman off from an opportunity to take the sense of the committee. I do not believe in his amendment. I am willing by unanimous consent, so far as I am concerned, that he may be allowed to offer his amendment.

Mr. MONDELL. I do not wish to ask unanimous consent. I could not have offered this amendment until this time, because we have just closed the reading of this paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 78 strike out "four hundred" and insert "five hundred and thirty;" so that it will read "\$530,000."

The CHAIRMAN. The question is on the amendment.

Mr. MONDELL. Now, Mr. Chairman, I will not take up the time of the committee to any considerable length in the discussion of my amendment. I simply say that if the amendment is adopted I will move at the proper time to strike out the second paragraph on page 85, which makes an appropriation of \$130,000 for survey by the Geological Survey of lands within forest reservations. As I understand, the amendment just adopted makes it clear that the General Land Office can carry on necessary surveys within the forest reservations.

Now, Mr. Chairman, I do not think that both the Geological Survey and the General Land Office should be conducting these surveys. The surveys are necessary, clearly. There is no con-

trovery upon that point. The General Land Office, as I said a moment ago, has charge of all land surveys of the Government, is the custodian of the maps and plats, and makes the maps of the Government land. They have the machinery to carry on this work. They issue the manual under which these surveys must be executed, and, in my opinion, these surveys can be more economically, more uniformly, and more properly executed if executed by one bureau of the Interior Department than if executed by two.

Mr. CANNON. Now, I hope the gentleman's motion will not prevail. We already have increased this appropriation from \$325,000 to \$400,000. The full estimate has been given, and then they come in with \$75,000 more, and we give that. Now, the gentleman says that he will, on page 85, if this amendment of his is adopted, move to strike out the following words: "For continuation of the survey of the public lands that have been or may hereafter be designated as forest reserves, \$130,000, to be immediately available." Now, I would have to antagonize that motion when he gets to it, because, whatever the language may be here, the Geological Survey, as I am informed, only surveys boundaries.

Mr. MONDELL. That is not altogether true, for they have surveyed considerable areas within the boundaries of forest reserves.

Mr. CANNON. I am quite willing when we get over here to make that available for boundaries only, but I do not think there is any necessity for further increasing this amount for the public survey. I think the Committee of the Whole has dealt quite liberally with that appropriation.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wyoming.

The question was taken, and the amendment was lost.

The Clerk read as follows:

The appropriation of \$31,500 for the resurvey and reestablishment of the boundary line between the State of Colorado and the Territories of New Mexico and Oklahoma, contained in the act of Congress approved July 1, 1902, making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1902, and for prior years, and for other purposes, is hereby continued and made available until June 30, 1904.

Mr. MONDELL. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

On page 82, at the end of line 4, insert:

"Survey of the boundary line between Idaho and Montana—
"For the ascertainment, survey, marking, and permanent establishment of that portion of the boundary line between the States of Idaho and Montana from the intersection of the thirty-fourth meridian of west longitude from Washington with the Continental Divide; thence northwestwardly following said Continental Divide and the crest of the Bitter Root range of mountains to the intersection with the thirty-ninth meridian of west longitude from Washington, an estimated distance of 450 miles, including the expense of an examination of the survey in the field, the rate of compensation per mile to the surveyor to be fixed by the Secretary of the Interior, the same to include the cost of the preparation of the plats and field notes of the survey in triplicate, \$50,000, to be immediately available."

Mr. MONDELL. Mr. Chairman, on the 17th of January the Secretary of the Treasury transmitted an estimate covering this item. I do not understand that the Committee on Appropriations have any special objection to the item, but the question was as to the urgency of the survey at this time. I have talked with those having knowledge of the condition as regards the public-land surveys, and I learn that there are a number of public-land surveys now under contract which can not be closed or completed until this, the last State boundary line in the Union to be run, shall have been established. There have been a number of surveys made in the past of public lands the completion of which was rendered impossible by the fact that the surveyors ran to a point, as near as they could tell, where they were approaching the State boundary and were compelled to discontinue the work because of the fact that the boundary had never been established.

People from Montana have informed me recently that, owing to discovery of mineral in the Mullen and Burke end of the Coeur d'Alene mining region, mines have been located along the summit of the range, about the point where it is understood the State line will finally be traced; and there is difficulty in establishing the exact location of mining claims, owing to the fact that the State boundary has never been established.

The newly elected member of the House from Montana, Mr. Dixon, who has personal knowledge of the situation, told me recently that there was a necessity for the survey, an immediate necessity, and he earnestly urged that the work be undertaken. I think that, in view of the necessity as regards the location of mining claims, the fact that the Government surveys are being extended toward this boundary in both directions, and that this is the only State boundary not marked and established, the survey should be completed at an early date.

Mr. CANNON. Mr. Chairman, this is the second or third time that this estimate has come to Congress for an appropriation to survey this boundary line. It was not reported favorably last year or, as I recollect, the year before last. It has to be surveyed

some time. We left it out again without any particular investigation, supposing that settlement had not gone far enough in that section of the country to require that expenditure. Since then I have talked with gentlemen and a number of others who seemed to think that it is important that the survey should be made, and reinforcing the somewhat urgent recommendation of the Secretary of the Interior for the past two years.

The amendment was considered and agreed to.

The Clerk read as follows:

For gauging the streams and determining the water supply of the United States, and for the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, \$100,000.

Mr. ADAMSON. Mr. Chairman, I move to amend the paragraph just read by striking out the word "one" and inserting the word "two," so as to make the amount of the appropriation \$200,000.

Mr. Chairman, the appropriation made for this purpose by existing law, as I understand, is \$200,000. That sum has been none too large, as I learn from gentlemen who have studied the question and who are interested in this very important subject. The value of these measurements and researches is very great, so that, instead of decreasing the appropriation for this purpose in the present bill, it seems to me it would have been better to increase it. But I have contented myself with moving to restore the amount appropriated by current law, and I hope, Mr. Chairman, that, considering the importance of the subject and the value to the public, in all portions of the country, of the service thus provided for, the amendment will be adopted.

Mr. CANNON. Mr. Chairman, the history of this appropriation is that at the last session the estimate was for \$100,000. The Committee on Appropriations recommended the appropriation of the full amount of the estimate. On the floor of the House (the Senate afterwards concurring) the amount was increased to \$200,000; and this year the estimate comes to us for \$200,000. Your committee thought it would take the temper of the House at this time on the question whether we would not go back and give for this purpose all that was asked a year ago. But when I see my distinguished friend from Georgia [Mr. ADAMSON], who, I think, believes in this appropriation, and when I see the brethren all around me, a dozen of them, seeking recognition to offer an amendment of this kind—because many of them have told me that some gentleman has sent them this amendment—and judging from the number of letters that I have from various geologists scattered all through the country, and from distinguished citizens, not geologists, in my own State, and considering how important water is, especially in the valley of the Mississippi and its tributaries, and the Middle West, where half the year we have water sufficient for the geese, who multiply by the thousand [laughter], I suspect upon the whole that if I shall sit down and quit talking, after having made this strenuous opposition to this increase, it is very likely that many gentlemen will vote for the amendment and that it may be adopted. So far as I am concerned, having thus protested, and believing that \$100,000 is quite enough, yet recognizing what seems to me to be the temper of the Committee of the Whole as manifested, I am ready for a vote. [Cries of "Vote!" "Vote!"]

The question being taken, the amendment of Mr. ADAMSON was agreed to.

The Clerk read as follows:

In all, for the United States Geological Survey, \$1,026,570.

Mr. CANNON. I move to amend by inserting, after the word "million," in line 9, page 85, the words "one hundred and."

The amendment was agreed to.

The Clerk read as follows:

The Secretary of the Interior may authorize such expenditure as may be necessary, not exceeding \$1,500, for rent of office accommodations in the city of Washington for the reclamation service, established by act approved June 17, 1902, entitled "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands."

Mr. MONDELL. Mr. Chairman, I reserve a point of order on this paragraph. I wish to ask the chairman of the committee why the language adopted in this paragraph is used. I understand that the Geological Survey has to do with a large variety of public work—investigations under the Government. It has a building here for the purpose of carrying on the work of its various divisions and bureaus, and it rents some offices outside; and this rent account and the account for books and other publications, carried in the next paragraph, are ordinarily charged against the general appropriation. I do not quite understand why the room that may be required by any additional work laid upon the Geological Survey by reason of the passage of what is known as the irrigation act should lead to the singling out or separation in the appropriation bill of the expenses directly or indirectly traceable to that act.

Mr. LIVINGSTON. I suggest to the gentleman that the

original act said "and other expenses." Under the original act all these expenses are chargeable to that fund.

Mr. MONDELL. I did not so understand. Does the gentleman understand that this sum is chargeable to the irrigation fund under the language of the act?

Mr. LIVINGSTON. Certainly.

Mr. CANNON. Mr. Chairman, I have no objection, so far as I am concerned, to the point of order being sustained and the whole paragraph going out. I am not hungering and thirsting to make this provision; but when I explain to the gentleman the necessity for putting it in, I think he will admit it at once.

Mr. MONDELL. I rose for the purpose of obtaining light.

Mr. CANNON. Twenty years ago it was found on investigation that from contingent funds and general appropriations the departments in Washington were in the habit of renting buildings according to their own sweet will, and sometimes that will was evidenced by somebody who wanted more room although he was already lost in space.

So let us enact legislation that no building should be rented in Washington unless expressly provided for by law and appropriation made therefor. Now, the irrigation act, with the enactment of which the gentleman had so much to do, set aside the proceeds of certain lands for reclamation of arid lands, and it provides that the Secretary of the Interior shall proceed to perform, survey, and so on. The expenses of irrigation and the utilization of that fund are payable from those proceeds, and as I understand it—the gentleman knows more about it than I do, however—the Secretary of the Interior in the exercise of his power put the expenditure, in part or altogether, of this fund under the Geological Bureau—entirely, my friend says. Now, in performing this work it is alleged that it is necessary to have an office in Washington, with some employees, and because of the provision of law that you can not rent offices in Washington unless expressly authorized they could not have that office here at all. If it were not for that law which we passed twenty years ago, we could have gone on and rented this building and paid for it from this fund.

Mr. MONDELL. I want to ask the gentleman if this provision for further office room could not have been made without any reference to the irrigation act.

Mr. CANNON. Oh, it could be paid from the general moneys in the Treasury, but the law does not contemplate that. The reclamation law contemplates that the expenses of administering that law shall be paid from the fund set aside for that purpose.

Mr. MONDELL. It does not seem to me, Mr. Chairman, that there is anything in the irrigation law that justifies this sort of expenditure. This is clearly to my mind new legislation, and I question whether it is wise legislation.

Mr. CANNON. Oh, I do not think so at all, but if the gentleman insists that it be new legislation, I have no objection to the point of order being sustained and having the paragraph go out. Then it leaves these surveys without offices in the District, and they would go on and administer it as best they could.

Mr. LIVINGSTON. In addition to that, Mr. Chairman, if my colleague, the chairman of the committee, will permit, if they should go further, and rent offices without authority under the law, instead of paying \$1,500 they might be paying \$5,000 out of that fund. There are two things accomplished by this clause. First, that under the law they may have the right to rent.

Mr. MONDELL. Under what law?

Mr. LIVINGSTON. Under the old law that they can not rent without express authority from Congress. This gives them authority and, in the second place, it limits them to \$1,500; whereas, if you strike out that section and they should go on and rent without authority, which they might do, they might take \$5,000 from that fund instead of \$1,500.

Mr. MONDELL. My objection to this provision is simply this, that we have a law under which we are moving forward—not very rapidly, having not as yet entered upon any construction, but I believe carefully, wisely, and judiciously—toward the construction of some irrigation works. Now, those of us who are most directly interested in those irrigation works are anxious that the appropriation or the fund raised under the irrigation law shall not be frittered away paying expenses here in Washington, clerk hire, rent of buildings, books, etc. The amount available is not large when you take into consideration the importance of the project, and we are rather averse to having it reduced by expenditures of this character. We have very large river and harbor appropriations every year, and I will ask the gentleman, for information, if, should the Treasury Department desire additional rooms on account of river and harbor work, would you charge up the rent of those rooms to projects for river and harbor improvement, for instance?

Mr. CANNON. Well, if my friend asks me, I will say that the two cases are not similar. A law passed devoting the proceeds of the sale of certain lands to the reclamation of arid lands.

Before that those moneys went into the Treasury. The law provided for the reclamation of those lands and provided that it should be done under the Secretary of the Interior. Now that is a separate fund. There is no separate fund set aside for the improvement of rivers and harbors. Now, then, this expenditure, to utilize this money, is just as legitimate and necessary that you should make the surveys and should get ready with plans, as it is that you should have a spade to throw up the dirt to construct the dam, and I suspect, it being placed by the Secretary of the Interior under this bureau, that it is really necessary to have an office in the city of Washington. If my friend thinks not, I am perfectly willing that it should go out.

Mr. MONDELL. I will say I think there is probably no question as to the necessity for those accommodations.

Mr. LIVINGSTON. Will my friend permit me to refer him to the original act approved June 17, 1902? After reciting the expenditure of money it goes on and provides for the payment of all other expenditures provided for in this act, whatever the expenditures may be.

Mr. MONDELL. I will call the gentleman's attention to the fact that there is no such expenditure as this provided for in the act.

Mr. LIVINGSTON. Whatever may occur in the future, whatever expenses may come.

Mr. MONDELL. I had a little something to do with drawing the section that provides for expenditures under the irrigation act; and, if I recollect, we were particularly careful not to authorize this class of expenditures.

Mr. PAYNE. My friend does not mean to say that, does he?

Mr. MONDELL. I have said it.

Mr. PAYNE. The House were assured last June that this irrigation business would not cost anything; that it would be self-supporting, because every dollar of the expenditure was to come from the sale of the arid lands. I think my friend is mistaken in his recollection that this act was drawn with any reference to charging part of the expense of this irrigation upon the public Treasury otherwise than from the result of the sale of the lands.

Mr. MONDELL. I think none of the advocates of that measure ever suggested that office expenditures in Washington should be loaded upon the fund. We did say that as far as the examinations in the field were concerned, and labor in connection with construction, it should be borne by the fund. But we did have it in mind that there might be some expenditures of this character which we would not care to have the fund burdened with. That is why I object to this provision. But I am warned by gentlemen who are better versed in these matters than I that if I insist upon my point of order and the Chair shall sustain it, and I believe he would, then we are liable to find ourselves without accommodations for those engaged in the work of reclamation; that the reclamation force is liable to be set adrift like an orphan on the street, without a home or shelter for their heads.

In other words, this item simply holds us up, and while it is, in my opinion, clearly subject to a point of order, we shall have to accept it or else run the risk of having the work hampered or suspended, but I give notice that I shall oppose all extensions of expenditures of this kind chargeable to the irrigation fund.

Now, Mr. Chairman, as I am anxious to have the work go on, and it is threatened that the work will not go on if I insist on my point of order, I withdraw the same.

The CHAIRMAN. The gentleman withdraws the point of order and the Clerk will read.

The Clerk read as follows:

Miscellaneous objects, Department of the Interior.

Mr. HEPBURN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Office of Commissioner of Railroads: For Commissioner, \$4,500; 1 clerk, \$1,000; 1 assistant messenger, \$720; in all, \$6,220. *Provided*, That the office of Commissioner of Railroads is hereby continued until the 30th day of June, 1904, when the same shall terminate and the duties of the Commissioner shall be transferred to the Secretary of the Interior, together with the records and files of the office.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

Mr. MADDOX. Mr. Chairman, I should like to hear the gentleman explain that amendment, and tell us what it means.

Mr. HEPBURN. Mr. Chairman, the office of Railroad Commissioner was terminated by an act of Congress passed a year ago. It was thought that during that time for which it was continued the business of the office could be completed. I understand that is not the case, and that it will take another year to conclude the business of the office in order that it may be turned over to the Secretary of the Interior in a proper manner.

The amendment was agreed to.

The Clerk read as follows:

Crater Lake National Park: For protection and improvement of the Crater Lake National Park, and repairing and extension of roads, to be expended under the supervision of the Secretary of the Interior, \$2,000.

Mr. CANNON. Mr. Chairman, as it is about time for the committee to rise, and the gentleman from Washington [Mr. CUSHMAN] desires to offer an amendment, after which I will move that the committee rise, I ask unanimous consent that we move forward in the bill temporarily to line 9, page 87, to enable the gentleman to offer his amendment.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to move forward to page 87, line 9, in order that the gentleman from Washington may offer an amendment. Is there objection?

There was no objection.

Mr. CUSHMAN. I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Washington offers the following amendment, which the Clerk will report:

The Clerk read as follows:

On page 87, at the end of line 9, after the words "two thousand dollars," insert the following as a new section:

"Mount Rainier National Park: For the management, protection, and improvement of Mount Rainier National Park, construction of roads, bridges, fences, and trails therein, and the improvement of existing roads, \$21,000, to be expended under the supervision of the Secretary of the Interior: *Provided*, That the surveys for roads and the work of construction thereof shall be performed under the supervision of an engineer officer of the Army, to be detailed for that purpose on the request of the Secretary of the Interior."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

Mr. CANNON. I want to offer a substitute for that amendment.

The Clerk read as follows:

On page 115, after line 22, insert:

"Mount Rainier National Park: To enable the Secretary of War to cause a survey to be made of the most practicable route for a wagon road into said park and toward the construction of said road after the survey herein provided for shall have been made, \$10,000."

Mr. CANNON. I hope that the substitute will be accepted.

Mr. CUSHMAN. I accept the substitute.

Mr. CANNON. The gentleman accepts the substitute. I am ready for a vote.

The question was taken, and the substitute was agreed to.

The amendment as amended was agreed to.

The Clerk read as follows:

Yellowstone National Park: For the administration and protection of the Yellowstone National Park, to be expended by and under the direction of the Secretary of the Interior, \$5,000.

Mr. LACEY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Strike out "five thousand" in line 15, page 86, after the word "Interior," and insert "seven thousand five hundred;" so as to read \$7,500.

Mr. CANNON. As I understand, the object is keep for the buffaloes or something of that kind?

Mr. LACEY. The increase of the amount, Mr. Chairman, is rendered necessary by the fact that in the last session of Congress an arrangement was made to try to restore the buffalo herd in the Yellowstone Park. Three bulls were got from the Goodnight herd and from other different herds, so as to secure new blood, and 18 cows from the Flathead agency herd. The herd that is in the park now are all pure blood and in very fine condition, with every prospect of being successfully maintained, and in order to be sure that the herd will be properly cared for this small additional appropriation of \$2,500, making \$7,500, was thought necessary by the Department and by Major Pitcher, the superintendent of the park. They asked for more.

The Secretary of the Interior asked for \$30,000. The amount has been cut down to \$5,000; but, from the best information I have been able to get, \$2,500 will be sufficient to cover this exigency. There are about 23 wild buffaloes that are now in the park somewhere. They are very wild. They go to the tops of the mountains and keep out of range, and the attempt will be made to gather them in with the other herd, which is really domestic.

Mr. CANNON. If my friend will allow me, just to see if we can not agree about it.

Mr. LACEY. I thought that we had agreed about it.

Mr. CANNON. Well, I want to suggest that my friend modify his amendment, and after the word "Interior" insert the following language: "including \$2,500 for maintenance of buffaloes;" and strike out "five thousand" and insert the words "seven thousand five hundred." In other words, I want to be dead sure that it goes to my friend's friend, the buffalo.

Mr. GREEN of Pennsylvania. I want to interrogate the gentleman.

Mr. LACEY. Well, I have no fear that the amount will go there. The amendment suggested is entirely satisfactory.

Mr. CANNON. The gentleman modifies his amendment.

Mr. LACEY. Some forage will probably be needed for a time, until the animals get used to their new surroundings and to tide them over severe snowstorms. There should be a sufficient sum to insure giving this little herd a fair chance, and I believe that in a few years a fine buffalo herd will be one of the most engaging features of the park.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. CAPRON having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. BARNES, one of his secretaries, announced that the President had approved and signed bill of the following title:

On February 10, 1903:

H. R. 15747. An act directing the issue of a check in lieu of a lost check drawn by George A. Bartlett, disbursing clerk, in favor of Fannie T. Sayles, executrix, and others.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

After the word "Interior" insert "including \$2,500 for maintenance of buffaloes, \$7,500."

Mr. LACEY. It includes fencing, care for them, and hay.

Mr. GREEN of Pennsylvania. I do not think the gentleman understood my interrogation.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

The amendment as modified was agreed to.

Mr. CANNON. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. LACEY having resumed the chair as Speaker pro tempore, Mr. TAWNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 17202, and had come to no resolution thereon.

HERMANN GAUSS.

Mr. HENRY C. SMITH. Mr. Speaker, I have a report from the Committee on Accounts which I am instructed to present.

The SPEAKER pro tempore. The gentleman from Michigan calls up the following privileged report from the Committee on Accounts.

The Clerk read as follows:

House resolution 416.

Resolved, That the Committee on Appropriations is authorized to provide in the general deficiency appropriation bill for the payment to Hermann Gauss of the sum of \$500 for extra expert services to the Committee on Invalid Pensions, as assistant clerk of said committee by detail.

The SPEAKER pro tempore. The question is upon agreeing to the resolution.

Mr. MADDOX. Mr. Speaker, do I understand that is extra pay?

The SPEAKER pro tempore. Does the gentleman from Michigan yield to the gentleman from Georgia?

Mr. HENRY C. SMITH. Oh, yes. It has been done right along.

Mr. MADDOX. Mr. Speaker, I know it has been done right along, but we passed a law here some time back that this extra pay for services had to stop. I will say to the gentleman that it will take 180 votes to pass it this evening.

Mr. HENRY C. SMITH. I withdraw the resolution.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker pro tempore signed the same:

H. R. 4153. An act granting a pension to Jane Hale;
H. R. 15084. An act granting a pension to James H. Powell;
H. R. 15550. An act granting a pension to Mary A. Hinkle;
H. R. 14811. An act granting a pension to Almedia J. Robison;

H. R. 4266. An act granting a pension to Henry Ehmke;
H. R. 15406. An act granting an increase of pension to James P. Campbell;

H. R. 15840. An act granting an increase of pension to Rudolph B. Weyeneth;

H. R. 13534. An act granting an increase of pension to James Evans;

H. R. 3578. An act granting an increase of pension to Erastus E. Edmunds;

H. R. 10663. An act granting an increase of pension to Benjamin H. Downing;

H. R. 5450. An act granting a pension to Charles P. Bigelow;
H. R. 9074. An act granting a pension to Elizabeth C. Gates;
H. R. 15839. An act granting an increase of pension to Luther Scott;

H. R. 16148. An act granting an increase of pension to Harry F. Libby;

H. R. 2614. An act granting a pension to John Sullivan;
H. R. 14889. An act granting a pension to James T. Lundy;

H. R. 15754. An act granting a pension to Frances Cowie;
H. R. 14407. An act granting a pension to May E. Bunn;

H. R. 16321. An act granting a pension to Michael Devine;
H. R. 5918. An act granting a pension to Margaret Fox;

H. R. 14687. An act granting a pension to Margaret Brennan;
H. R. 12963. An act granting a pension to Sarah E. Smith;

H. R. 16058. An act granting a pension to John Corbett;
H. R. 8617. An act granting a pension to Sabina Lalley;

H. R. 7778. An act granting a pension to Peter Buckley;
H. R. 14258. An act granting a pension to Fletcher Duling;

H. R. 1014. An act granting a pension to Laura Levenseler;
H. R. 4118. An act granting a pension to Charles Maschmeyer;

H. R. 11258. An act granting a pension to William F. Randolph;

H. R. 1531. An act granting an increase of pension to Susan E. Duncan;

H. R. 8254. An act granting an increase of pension to John R. Curry;

H. R. 1423. An act granting an increase of pension to Asa Tarbox;

H. R. 12524. An act granting an increase of pension to Elvira M. Cooper;

H. R. 15661. An act granting an increase of pension to James M. Marshall;

H. R. 13999. An act granting an increase of pension to Dennis Cosier;

H. R. 1923. An act granting an increase of pension to Frederick W. Damon;

H. R. 11125. An act granting an increase of pension to John S. Campbell;

H. R. 7851. An act granting an increase of pension to Jennie H. Cramer;

H. R. 15409. An act granting an increase of pension to James Claybourn;

H. R. 14168. An act granting a pension to John B. Anderson;
H. R. 15211. An act granting a pension to Mary J. Slusser;

H. R. 5920. An act granting a pension to Washington T. Filson;

H. R. 16711. An act granting a pension to Ann Gilbert;
H. R. 2812. An act granting a pension to Susan Kent;

H. R. 14814. An act granting a pension to Herman J. Miller;
H. R. 13358. An act granting a pension to Elizabeth A. Wilder;

H. R. 12971. An act granting a pension to Thomas Martin;
H. R. 15694. An act granting a pension to Bessie Ledyard;

H. R. 11199. An act granting a pension to Lewis Walton;
H. R. 13689. An act granting a pension to William W. Painter;

H. R. 13850. An act granting an increase of pension to Charles K. Cameron;

H. R. 15892. An act granting an increase of pension to Eli Titus;

H. R. 5511. An act granting an increase of pension to Cyrus V. Gorrell;

H. R. 13240. An act granting an increase of pension to Nimrod F. Clark;

H. R. 15684. An act granting an increase of pension to Joseph R. Prentice;

H. R. 14302. An act granting an increase of pension to Samuel Burrell;

H. R. 5898. An act granting an increase of pension to Reuben F. Carter;

H. R. 16512. An act granting an increase of pension to John Dinneer, now John J. Davidson.

H. R. 16499. An act granting an increase of pension to Charles S. Wainwright;

H. R. 15961. An act granting an increase of pension to Jane C. Welch;

H. R. 9814. An act granting an increase of pension to Mary Williams;

H. R. 15864. An act granting an increase of pension to Benjamin Knestrict;

H. R. 13799. An act granting an increase of pension to Henry C. Trout;

H. R. 13239. An act granting an increase of pension to Ervin Thompson;

H. R. 3399. An act granting an increase of pension to Thomas B. Wilson;

H. R. 15585. An act granting an increase of pension to Solomon S. Shaner;
 H. R. 14963. An act granting an increase of pension to Herman Tuerck;
 H. R. 15358. An act granting an increase of pension to John Snodgrass;
 H. R. 1015. An act granting an increase of pension to Isaac F. Russell;
 H. R. 9987. An act granting an increase of pension to Aaron Young;
 H. R. 14303. An act granting an increase of pension to Robert H. Maricle;
 H. R. 15472. An act granting an increase of pension to William H. Chamberlin;
 H. R. 16492. An act granting an increase of pension to Wilson G. Gray;
 H. R. 4183. An act granting an increase of pension to Gottlieb Kafer;
 H. R. 12991. An act granting an increase of pension to Gustavus S. Perkins;
 H. R. 15622. An act granting an increase of pension to Benjamin Cardwell;
 H. R. 18519. An act granting an increase of pension to James M. Clement;
 H. R. 14952. An act granting an increase of pension to Leonard S. Grove;
 H. R. 12019. An act granting an increase of pension to William Lowe;
 H. R. 15910. An act granting an increase of pension to James A. Hale;
 H. R. 8626. An act granting an increase of pension to Sarah E. Yemans;
 H. R. 15329. An act granting an increase of pension to Elizabeth Rosenbarger;
 H. R. 305. An act granting an increase of pension to George Heinzman;
 H. R. 1829. An act granting an increase of pension to George W. Brill;
 H. R. 15693. An act granting an increase of pension to Delitha A. Cook;
 H. R. 6161. An act granting an increase of pension to Homer Davis;
 H. R. 4441. An act granting an increase of pension to Oscar Brewster;
 H. R. 14143. An act granting an increase of pension to Augusta W. Seely;
 H. R. 16162. An act granting an increase of pension to George Brown;
 H. R. 16032. An act granting an increase of pension to Henry Taylor;
 H. R. 12214. An act granting an increase of pension to Jane A. Tillinghast;
 H. R. 15889. An act granting an increase of pension to Chester W. Abbott;
 H. R. 15997. An act granting an increase of pension to Christian J. Flanagan;
 H. R. 15841. An act granting an increase of pension to John Da Salva;
 H. R. 16271. An act granting an increase of pension to Gustavus W. Peabody; and
 H. R. 2675. An act granting an increase of pension to John M. Stanley.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 149. An act to provide for holding terms of court in the district of Utah.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles, in which the concurrence of the House of Representatives was requested, were referred to their appropriate committees as follows:

S. 7100. An act granting an increase of pension to Maggie V. Holstein—to the Committee on Invalid Pensions.

S. 7201. An act to increase the limit of cost for the public building at Evanston, Wyo.—to the Committee on Public Buildings and Grounds.

S. 7288. An act extending the time for making proof and payment for all lands taken under the desert-land laws by the members of the Colorado Cooperative Colony for a further period of three years—to the Committee on the Public Lands.

S. 3622. An act to provide for the payment to the heirs of Darius B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Perce Indians—to the Committee on Claims.

CHANGE OF REFERENCE.

By unanimous consent, reference of the bill (S. 6881) for the relief of James L. Elmer was changed from the Committee on Claims to the Committee on Military Affairs.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. WHEELER, indefinitely, on account of important business.

To Mr. ALLEN of Maine, for two days, on account of important business.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of James W. Clift, administrator of estate of William Clift, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for publication of report of board on typhoid fever—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for National Home for Disabled Volunteer Soldiers—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting an estimate of deficiency in appropriation for the Interstate Commerce Commission—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Supervising Architect submitting an estimate of additional appropriation for laboratory, Marine Hospital—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Supervising Architect increasing the estimate of appropriation for rental of quarters at Los Angeles, Cal.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Attorney-General, transmitting a list of judgments rendered against the Government by circuit and district courts—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. KLEBERG, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 7288) extending the time for making proof and payment for all lands taken under the desert-land laws by members of the Colorado Cooperative Colony for a further period of three years, reported the same without amendment, accompanied by a report (No. 3704); which said bill and report were referred to the House Calendar.

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 5918) to amend section 1225 of Revised Statutes so as to provide for detail of retired officers of the Army and Navy to assist in military instruction in schools, reported the same without amendment, accompanied by a report (No. 3705); which said bill and report were referred to the House Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 6231) authorizing Robert A. Chapman, of Alabama, his associates and assigns, to use the waters of the Coosa River, in Alabama, for the purpose of generating electricity, reported the same with amendments, accompanied by a report (No. 3706); which said bill and report were referred to the House Calendar.

Mr. DAVEY of Louisiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 6754) authorizing the city of Batesville, Ark., to draw

water from the pool of Dam No. 1, Upper White River, reported the same without amendment, accompanied by a report (No. 3707); which said bill and report were referred to the House Calendar.

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 7004) to extend the time for the completion of a bridge across the Missouri River, reported the same without amendment, accompanied by a report (No. 3708); which said bill and report were referred to the House Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 17052) to authorize the building of a railroad bridge across the Tennessee River at a point between Lewis Bluff, in Morgan County, Ala., and Guntersville, in Marshall County, Ala., reported the same with amendments, accompanied by a report (No. 3709); which said bill and report were referred to the House Calendar.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 17204) to authorize the construction of a bridge across the Arkansas River at or near Moors Rock, in the State of Arkansas, reported the same without amendment, accompanied by a report (No. 3710); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 16989) to amend the act making appropriations for sundry civil expenses of the Government, and for other purposes, approved June 6, 1900, reported the same without amendment, accompanied by a report (No. 3711); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 16720) for establishing a light vessel near Healds Banks, off Galveston Harbor, Texas, reported the same with amendment, accompanied by a report (No. 3712); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. COOMBS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 17086) declaring the tunnels under the Chicago River an obstruction to navigation, and for other purposes, reported the same without amendment, accompanied by a report (No. 3746); which said bill and report were referred to the House Calendar.

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 5437) to authorize the settlement of the accounts of officers of the Army, reported the same without amendment, accompanied by a report (No. 3747); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CORLISS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 15376) for a light-house and fog signal on Rock of Ages, Lake Superior, reported the same without amendment, accompanied by a report (No. 3748); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 15377) for a light-house and fog signal on Middle Island, Lake Huron, reported the same without amendment, accompanied by a report (No. 3749); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HEATWOLE, from the Committee on Printing, to which was referred the bill of the House (H. R. 17276) to fix the salary of the Public Printer, reported the same without amendment, accompanied by a report (No. 3750); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 15688) granting an increase of pension to Franklin Williams, reported the same with amendments, accompanied by a report (No. 3703); which said bill and report were referred to the Private Calendar.

Mr. SCHIRM, from the Committee on Claims, to which was referred the bill of the House (H. R. 16998) to pay the heirs of Thomas Latchford, reported the same with amendment, accompanied by a report (No. 3713); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15630) granting a pension to James Redshaw, reported the same with amendments, accompanied by a report (No. 3714); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 17234) granting an increase of pension to David Flynn, reported the same with amendments, accompanied by a report (No. 3715); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6470) granting an increase of pension to S. H. King, reported the same with amendments, accompanied by a report (No. 3716); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 17296) granting an increase of pension to Nathaniel Thayer, reported the same with amendments, accompanied by a report (No. 3717); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 17297) granting an increase of pension to Joseph W. Fox, reported the same with amendment, accompanied by a report (No. 3718); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 966) granting an increase of pension to William Y. Turner, reported the same without amendment, accompanied by a report (No. 3719); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1335) granting a pension to Elizabeth Neal, reported the same without amendment, accompanied by a report (No. 3720); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1550) granting an increase of pension to Flavius Shanks, reported the same without amendment, accompanied by a report (No. 3721); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3722) granting an increase of pension to Fredericke W. Lillman, reported the same without amendment, accompanied by a report (No. 3722); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3803) granting an increase of pension to Philip Caslow, reported the same without amendment, accompanied by a report (No. 3723); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4123) granting a pension to Eliza Gallagher, reported the same without amendment, accompanied by a report (No. 3724); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5205) granting an increase of pension to Grace E. Ash, reported the same without amendment, accompanied by a report (No. 3725); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5215) granting an increase of pension to Thomas L. Smith, reported the same without amendment, accompanied by a report (No. 3726); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5662) granting an increase of pension to Henry Sickels, reported the same without amendment, accompanied by a report (No. 3727); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5723) granting an increase of pension to Ole Hexom, alias Ole H. Olson, reported the same without amendment, accompanied by a report (No. 3728); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5734) granting an increase of pension to Elijah A. Woodward, reported the same without amendment, accompanied by a report (No. 3729); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5738) granting an increase of pension to William E. Fehrenback, reported the same without amendment, accompanied by a report (No. 3730); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5854) granting an increase of pension to Allen B. Evans, reported the same without amendment, accompanied by a report (No. 3731); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5874) granting an increase of pension to Catharine A. Russell, reported the same without amendment, accompanied by a report (No. 3732); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5993) granting an increase of pension to James G. Davis, reported the same without amendment, accompanied by a report (No. 3733); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6445) granting an increase of pension to John F. Briggs, reported the same without amendment, accompanied by a report (No. 3734); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6876) granting a pension to Lavinia F. Poiron, reported the same without amendment, accompanied by a report (No. 3735); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7182) granting an increase of pension to William H. McHenry, reported the same without amendment, accompanied by a report (No. 3736); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 17305) granting a pension to Philander H. Graves, reported the same with amendments, accompanied by a report (No. 3737); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 17247) granting a pension to Mary H. Rumble, reported the same with amendments, accompanied by a report (No. 3738); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 17303) granting an increase of pension to A. W. Huffman, reported the same with amendments, accompanied by a report (No. 3739); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1631) granting an increase of pension to Edna K. Hoyt, reported the same without amendment, accompanied by a report (No. 3740); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2860) granting an increase of pension to Henderson Mercer, reported the same without amendment, accompanied by a report (No. 3741); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5641) granting a pension to Charlotte J. Closser, reported the same without amendment, accompanied by a report (No. 3742); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5830) granting an increase of pension to Andrew Jackson, reported the same without amendment, accompanied by a report (No. 3743); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7176) granting an increase of pension to Jennie W. Rhoades, reported the same without amendment, accompanied by a report (No. 3744); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4919) granting an increase of pension to James M. White, reported the same without amendment, accompanied by a report (No. 3745); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4922) granting an increase of pension to Andrew C. Smith, reported the same without amendment, accompanied by a report (No. 3751); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7100) granting an increase of pension to Maggie V. Holstein, reported the same without amendment, accompanied by a report (No. 3752); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 6342) granting a pension to Edwin M. Raymond, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. OTJEN: A bill (H. R. 17380) for the establishment of a fourth-order light and fog signal upon south end of breakwater, harbor of refuge, Milwaukee, Wis.—to the Committee on Interstate and Foreign Commerce.

By Mr. MUDD: A bill (H. R. 17381) providing for an additional circuit judge in the fourth judicial circuit—to the Committee on the Judiciary.

By Mr. MOODY: Joint resolution (H. J. Res. 269) providing for the transfer of certain military rolls and records from the Interior Department to the War Department—to the Committee on Military Affairs.

By Mr. ROBINSON of Indiana (by request): A joint resolution of the legislature of Idaho, relating to the stone and timber act—to the Committee on the Public Lands.

By Mr. NAPHEN: A resolution of the legislature of the Commonwealth of Massachusetts, opposing the location of a light-house depot on Castle Island—to the Committee on Military Affairs.

By Mr. GREENE of Massachusetts: A resolution of the legislature of the Commonwealth of Massachusetts, relative to Castle Island—to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. CONNELL: A bill (H. R. 17382) to correct the military record of John T. Doudican—to the Committee on Military Affairs.

By Mr. GRIFFITH: A bill (H. R. 17383) for the relief of Jacob H. Weikert—to the Committee on War Claims.

Also, a bill (H. R. 17384) granting an increase of pension to David Allen—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 17385) granting an increase of pension to Jonathan R. Cox—to the Committee on Invalid Pensions.

By Mr. LEWIS of Georgia: A bill (H. R. 17386) for the relief of the legal representatives of Thomas W. Johnson, deceased—to the Committee on Claims.

By Mr. SMALL: A bill (H. R. 17387) granting a pension to Walter Gardner—to the Committee on Pensions.

By Mr. SIMS: A bill (H. R. 17388) for the relief of Edmund W. Williams, executor of the estate of Joseph R. Williams, deceased—to the Committee on War Claims.

By Mr. WILSON: A bill (H. R. 17389) granting a pension to Catherine M. Wonderly—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Resolutions of the legislative board of the Brotherhood of Railroad Trainmen of Pennsylvania, in favor of the Foraker safety-appliance bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the same, in favor of House bill 15990, known as the employers' liability bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the same, urging the passage of the Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolutions of the Philadelphia Association of Union ex-Prisoners of War, asking for the passage of bill for the relief of Union ex-prisoners of the civil war—to the Committee on Invalid Pensions.

By Mr. BULL: Resolutions of Lodge No. 119, International Association of Machinists, Newport, R. I., for the repeal of the desert-land law and the commutation clause of the homestead act—to the Committee on the Public Lands.

By Mr. BURKETT: Resolutions of the Missouri Valley Hardware Association, against the enlargement of the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. CRUMPACKER: Petitions of 158 pastors of churches, Sunday school officers and teachers, of Lafayette, Ind., and citizens of Jasper County, Ind., to forbid the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. DRAPER: Petition of the American Blind People's Higher Education and General Improvement Association, favoring the higher education of the blind—to the Committee on Education.

By Mr. FITZGERALD: Resolutions of the American Chamber of Commerce, of Paris, France, in favor of the adoption of the metric system in the United States—to the Committee on Coinage, Weights, and Measures.

By Mr. GOLDFOGLE: Resolutions of United Israel Lodge, No. 182, Order of B'rith Abraham, of New York City, N. Y., relating to methods of the Immigration Bureau at the port of New York—to the Committee on Immigration and Naturalization.

Also, resolution of the Medical Association of Central New York, favoring the establishment of a laboratory for the study of the criminal, pauper, and defective classes—to the Committee on the Judiciary.

By Mr. GRAHAM: Resolution of the Chamber of Commerce of Pittsburgh, Pa., urging the passage of Senate bill 6498, for the purchase of land in Somerset County, Pa., for a military camp—to the Committee on Military Affairs.

Also, petition of the American Blind People's Higher Education and General Improvement Association, favoring the higher education of the blind, as provided in Senate bill 4038—to the Committee on Education.

By Mr. HOLLIDAY: Resolution of Local Union No. 70, International Union of Steam Engineers, Brazil, Ind., urging the passage of House bill 3076, for an eight-hour law—to the Committee on Labor.

By Mr. LINDSAY: Petition of the American Blind People's Higher Education and General Improvement Association, favoring Senate bill 4038—to the Committee on Education.

Also, resolution of the Medical Association of Central New York, favoring the establishment of a laboratory for the study of the criminal, pauper, and defective classes—to the Committee on the Judiciary.

Also, protest of Maccabee Lodge, No. 49, Order of Sons of Benjamin, Brooklyn, N. Y., against the exclusion of Jewish immigrants at the port of New York—to the Committee on Immigration and Naturalization.

Also, petition of Malt-Diastase Company, Brooklyn, N. Y., for a reduction of the tax on alcohol to 70 cents per proof gallon—to the Committee on Ways and Means.

Also, resolution of the National Army and Navy Spanish War Veterans' Association, of New York, favoring the passage of Senate bill 2172, for the payment of medical expenses of sick officers and enlisted men of the Army while absent from duty with leave or on furlough—to the Committee on Military Affairs.

By Mr. MARTIN: Resolutions of the Black Hills Mining Men's Association, of South Dakota, for the creation of an independent department of mines and mining—to the Committee on Mines and Mining.

By Mr. MICKEY: Petition of citizens and business men of the city of Quincy, Ill., for the improvement of the Upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. REEDER: Petition of the Stockton Quarterly Conference, Rooks County, Kans., in favor of legislation in restraint of the liquor traffic—to the Committee on Alcoholic Liquor Traffic.

By Mr. TIRRELL: Resolution of the Massachusetts State Board of Trade, favoring the passage of bills to increase the jurisdiction and powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. WILSON: Petition of sundry citizens of Brooklyn, N. Y., favoring antipolygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, petition of retail druggists of Brooklyn, N. Y., urging the reduction of the tax on alcohol—to the Committee on Ways and Means.

Also, petition of Stereotypers' Union No. 1, of New York City, favoring the repeal of the desert-land law—to the Committee on the Public Lands.

By Mr. YOUNG: Resolutions of the legislative board of the Brotherhood of Railroad Trainmen of Pennsylvania, in favor of House bill 15990—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the same organization, favoring Senate bill 3560, known as the Foraker safety-appliance bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the American Blind People's Higher Education and General Improvement Association, favoring the higher education of the blind, as provided in Senate bill 4038—to the Committee on Education.

SENATE.

THURSDAY, February 12, 1903.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington. The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BEVERIDGE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

VETO MESSAGE—KATIE A. NOLAN.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying bill, referred to the Committee on Post-Offices and Post-Roads:

To the Senate:

I return herewith Senate bill No. 4308, entitled "An act for the relief of Katie A. Nolan."

Executive approval of this bill is withheld for the reason that it appears to be a duplication of legislation. The deficiency act of July 1, 1902, contained the following provision:

"To enable the Postmaster-General to pay Katie A. Nolan balance of salary due her as stamp clerk in the post-office at San Antonio, Tex., from July 1, 1889, to July 1, 1893, \$800."

Under this provision of said act Katie A. Nolan, the beneficiary named in this bill, was paid \$800 by the postmaster at San Antonio, Tex., by direction of the Postmaster-General, as shown by the records of the Post-Office Department.

THEODORE ROOSEVELT.

WHITE HOUSE, February 11, 1903.

SLOOP SALLY MARIAH.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel sloop *Sally Mariah*, John Sells, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 7185) to authorize the board of commissioners for the Connecticut bridge and highway district to construct a bridge across the Connecticut River at Hartford, in the State of Connecticut.

The message also announced that the House had passed a bill (H. R. 16656) regulating the importation of breeding animals; in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15429) to increase the efficiency of the Army.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 149) to provide for holding terms of court in the district of Utah;

A bill (H. R. 305) granting an increase of pension to George Heinzman;

A bill (H. R. 1014) granting a pension to Laura Levenseler;

A bill (H. R. 1015) granting an increase of pension to Isaac F. Russell;

A bill (H. R. 1423) granting an increase of pension to Asa Tarbox;

A bill (H. R. 1531) granting an increase of pension to Susan E. Duncan;

A bill (H. R. 1829) granting an increase of pension to George W. Brill;

A bill (H. R. 1923) granting an increase of pension to Frederick W. Damon;

A bill (H. R. 2614) granting a pension to John Sullivan;

A bill (H. R. 2675) granting an increase of pension to John M. Stanley;

A bill (H. R. 2812) granting a pension to Susan Kent;

A bill (H. R. 3578) granting an increase of pension to Erastus E. Edmunds;

A bill (H. R. 3899) granting an increase of pension to Thomas B. Wilson;

A bill (H. R. 4118) granting a pension to Charles Maschmeyer;

A bill (H. R. 4153) granting a pension to Jane Hale;

A bill (H. R. 4183) granting an increase of pension to Gottlieb Kafer;

A bill (H. R. 4266) granting a pension to Henry Ehmke;

A bill (H. R. 4441) granting an increase of pension to Oscar Brewster;